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# THE AMERICAN HISTORICAL REVIEW

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## VOLUME XVI

OCTOBER 1910 TO JULY 1911

*Includes v. 17 No. 1, October, 1911  
instead of v. 16, No. 1, October, 1910*

THE MACMILLAN COMPANY

LONDON: MACMILLAN AND CO., LTD.

1911

PRESS OF  
THE NEW ERA PRINTING COMPANY  
LANCASTER PA



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## The American Historical Review

### THE MONUMENT OF ANCYRA

IT is a remarkable tribute to the constructive statesmanship of Augustus Caesar that historians and political theorists still disagree when they attempt to classify and label the political organization which he gave to the Roman state. It has been variously named an empire, a dyarchy, or a principate. The second of these terms was coined by Mommsen to apply to this political institution alone. The third is applied to no imperial organization other than the Roman empire. Augustus himself proudly states that, after he had gained complete power by the consent of all classes, he handed over the republic out of his own control to the decision of the senate and the Roman people.<sup>1</sup> With a fine skill in ambiguity and tactful phrase, he avoids the bald statement that he gave back the commonwealth to the senate and Roman people. He does not mention at this point the powers which the senate and people bestowed upon him after he had put an end to his anomalous position in 27 B. C. Also, naturally enough, he does not draw the sum of those powers. He emphasizes instead the separate offices which he held and says that he had no more power than those who were his colleagues in any magistracy. The statement is far from true, however true or false it may have seemed to the careful diplomat who wrote the words. For the separate powers, when massed, gave Augustus complete control of the state; and the sum of his powers made each separate office more significant.

In the years 28 and 27 B. C., and those immediately following, the phrase "restoration of the liberties of the Roman people" was the legend of coins and inscriptions. In these years the idea of the "restituta res publica" was advanced, which is found in the *Fasti* of Ovid, in the Praenestian *Fasti* and other inscriptions, and in Velleius Paterculus.<sup>2</sup> But Strabo, writing in the years 18 and 19

<sup>1</sup> *Res Gestae*, ch. 34.

<sup>2</sup> See Mommsen, *Res Gestae*, pp. 145-146.

A. D., plainly saw that "the fatherland turned over to him [Augustus] the leadership of the government and he became master of war and peace for life".<sup>3</sup>

In writing the *Res Gestae*, Augustus employed the phrase "res publica" when dealing with the civil wars and the time of the triumvirate,<sup>4</sup> and in chapter 34 where he states that he handed over the republic to the decision of the senate and Roman people. In the enumeration of all deeds and honors occurring after that period, the term "res publica" is not found in the *Res Gestae*. Does this merely happen so? I think not. There must have been but few men in the Roman senate when Augustus composed the *Res Gestae* or at the time of his death who did not realize and acknowledge the enormous scope of the constitutional powers which had been so deftly gathered into the hands of this great politician. These contemporaries of Strabo would have smiled, some of them grimly, if Augustus toward the end of his life had tried to insist upon the idea of the restoration of the republic. That there was another reason more potent and important, why the idea of the republic should be suppressed, is the thesis of this paper.

Another testimonial to the inscrutable diplomacy of the man who constructed the Roman empire out of the old timbers of the republic, is the document which was found on the walls of the temple of Augustus at Ancyra. The different attempts to bring this document under some specific literary class or type have not been entirely successful. Ernest Bormann has insisted that it was an epitaph.<sup>5</sup> But he has been forced to the admission that the person and the circumstances concerned were both unique, in order to explain the great divergence of this inscription from other epitaphs. He is also forced to the problematic statement that the document, published as it was after Augustus's death, may have been carried out in quite a different fashion from that expected by its author.<sup>6</sup> This interpretation of the Monument of Ancyra found ardent supporters in Johannes Schmidt<sup>7</sup> and H. Nissen.<sup>8</sup> Among the names of eminent scholars who have opposed this view are those of Otto Hirschfeld,<sup>9</sup> Ulrich von Wilamowitz-Moellendorff,<sup>10</sup> and Theodor Mommsen.

<sup>3</sup> Strabo, XVII. 3, 25, p. 840. Cf. Niese, *Hermes*, XIII. 33-36.

<sup>4</sup> *Res Gestae*, chs. 1 and 25.

<sup>5</sup> In *Bemerkungen zum Schriftlichen Nachlasse des Kaisers Augustus* (Universitäts-Einladung, Marburg, 1884).

<sup>6</sup> *Verhandlungen der drei und vierzigsten Versammlung deutscher Philologen und Schulmänner in Köln* (1895), p. 181.

<sup>7</sup> Johannes Schmidt in articles published in *Philologus*, vols. XLIV., XLV., XLVI.

<sup>8</sup> H. Nissen in *Rheinisches Museum*, vol. XLI. (1886).

<sup>9</sup> *Wiener Studien*, VII. 170-174 (1885).

<sup>10</sup> *Hermes*, XXI. 623-627 (1886).



sen.<sup>11</sup> Wilamowitz was the first to point out that it was scarcely fitting that the epitaph of Augustus, the man, should be inscribed upon the temple of Augustus, the god, at Ancyra. If, however, the people of his day regarded this document as the summary of the "*res gestae divi Augusti*", its position upon the walls of the temple was entirely proper. Wilamowitz also pointed out that Hadrian had set up, in the Pantheon which he built at Athens, an inscription modelled upon the *Res Gestae* inscription of Augustus.<sup>12</sup> In this document Hadrian published for posterity, as Augustus had done, some of his wars, the temples he had built or adorned, and his gifts to cities both Greek and barbarian. Similar as it was to the *Res Gestae*, the Hadrian inscription can in no way be regarded as an epitaph; and the fact that Augustus caused the account of his deeds to be set up before his mausoleum does not necessitate the conclusion that it was a grave inscription.

The matter of the name to be applied to the Monument of Ancyra is relatively of small importance. The name given to it upon the temple of Ancyra—"rerum gestarum divi Augusti exemplar"—was satisfactory to the imperial subjects in Asia Minor, and the term *Res Gestae* adopted by Mommsen described it fairly well.<sup>13</sup> The question of its content and purpose is the real historical problem. The idea of Wilamowitz that its chief purpose was to be a justification of the apotheosis of Augustus has not obtained credence. Wölfflin's belief that it was the balance-sheet drawn by the founder of the monarchy is almost equally inadequate.<sup>14</sup> Mommsen in his summary, which practically ended the protracted discussion, regarded the *Res Gestae* as the sum of his fifty years' rule drawn by the founder of the empire and set before the public.<sup>15</sup> He further states that, in his opinion, Augustus must have had a distinct political motive in bringing out this singular publication in his testament in the place and manner in which it appeared. What this political motive was Mommsen did not profess to know.<sup>16</sup>

One peculiarity of the *Res Gestae* has often been noticed, namely, that Augustus does not mention the names of any of his opponents in the civil wars, nor the names of his father and mother, not

<sup>11</sup> Mommsen's article in the *Historische Zeitschrift*, LVII. (Neue Folge XXI.) 385-397 (1887), is a remarkably clean-cut piece of analysis and an unanswerable summary of this phase of the discussion.

<sup>12</sup> See Pausanias, I. 5, 5.

<sup>13</sup> Mommsen believed that the title "*Index Rerum a se Gestarum*" must have been used by Augustus himself in the orders which he left for its publication. See *Historische Zeitschrift*, LVII. 392.

<sup>14</sup> E. Wölfflin, *Sitzungsberichte der phil.-phil. und hist. Klasse der Akademie der Wissenschaften zu München*, 1886, pp. 253-282.

<sup>15</sup> *Historische Zeitschrift*, LVII. 390.

<sup>16</sup> *Ibid.*, p. 395.



even his own name, excepting where the statement is made that the senate gave him the honorary title of Augustus.<sup>17</sup> This peculiarity forced itself upon my attention in a different light as one of the most characteristic features of the *Res Gestae*. Foreign kings with whom the generals of Augustus fought, those who came to him as suppliants, and those set up by Augustus upon the Parthian and Median thrones are mentioned by name.<sup>18</sup> The names of the Roman consuls are of course used to designate the year. Apart from these there are no names actually given other than those of members of Augustus's family, with one exception. This is in chapter 12: "By a decree of the senate, at the same time a part of the praetors and tribunes of the people with the consul Quintus Lucretius and leading citizens were sent into Campania to meet me, an honor which up to this time has been decreed to no one but me." The reason for mentioning the name of Quintus Lucretius is clear. In the foregoing chapter the consuls of the year, Quintus Lucretius and Marcus Vinucius, were given, as usual, by name. The name of the consul Lucretius in the following chapter does not therefore interfere with the apparent policy of suppressing the names of all but members of the family of Caesar. In fact it would be noticeable, seeing that the two names had just been given, if the name of the one consul who went to meet Augustus should not be stated.

It is therefore safe to say that the omission of proper names in the *Res Gestae* except in the case of members of the family is a policy which Augustus pursued consciously and with a purpose. In order to determine the reason behind that policy, it is necessary to examine more closely the members of the family whose names are suggested and those actually given. The passages in which the family of Augustus appear without direct statement of names are:

Ch. 2: Qui parentem meum interfecerunt eos in exilium expuli.<sup>19</sup>

Ch. 10: Pontifex maximus ne fierem in vivi conlegae locum, populo id sacerdotium deferente mihi, quod pater meus habuit, recusavi.

Ch. 19: Porticum . . . quam sum appellari passus ex nomine eius qui priorem eodem in solo fecerat Octaviam.

The earlier portico was built by Gnaeus Octavius in 165 B. C.<sup>20</sup>

Ch. 20: Forum Iulium et basilicam, quae fuit inter aedem Castoris et aedem Saturni, coepta profligataque opera a patre meo perfeci et eandem basilicam consumptam incendio ampliatio eius solo sub titulo nominis filiorum meorum incohavi et, si vivus non perfecissem, perfici ab heredibus iussi.

<sup>17</sup> See Gardthausen, *Augustus und seine Zeit*, I. 1285.

<sup>18</sup> See *Res Gestae*, chs. 27, 32, 33.

<sup>19</sup> Had Augustus desired to justify his apotheosis, as Wilamowitz supposed, he would certainly have used here the usual phrase, *divum Iulium*, instead of *parentem meum*.

<sup>20</sup> See Festus, p. 78, quoted in Mommsen, *Res Gestae*, p. 80.

Ch. 22: Ter munus gladiatorium dedi meo nomine et quinquens filiorum meorum aut nepotum nomine.

The sons were, of course, Lucius and Gaius Caesar. The grandsons were Germanicus, nephew and adopted son of Tiberius, and Drusus, son of Tiberius.

Ch. 22: Bis athletarum undique accitorum spectaculum populo praeberi meo nomine et tertium nepotis mei nomine.

Ch. 22: Venationes bestiarum Africanarum meo nomine aut filiorum meorum et nepotum in circo aut in foro aut in amphitheatris populo dedi sexiens et viciens.

It is evident that Augustus desired during his lifetime to keep the names of the male members of the imperial family before the people and made use of the public spectacles for that purpose. When he wrote the *Res Gestae*, it seemed advisable for some reason to recall these benefactions and the fact that they were given by the Princeps acting in the name of members of his household. Augustus wrote this proud and simple record of his deeds with the feeling that posterity might thereby appreciate more fully his life of toil and devotion. Why then is he so careful to record the fact that these things were done in the name of sons or grandsons? Clearly he wished to lay emphasis upon these spectacles as coming not from himself alone, but from himself as head of the imperial family. As surely as there was some definite reason for this course when he celebrated the games, just so surely there was a reason for recalling the fact when he composed the *Res Gestae*.

In the following places the names of members of the imperial family are actually given:

Ch. 8: In consulatu sexto censem populi conlega M. Agrippa egi.

Ch. 8: Tertium consulari cum imperio lustrum conlega Tib. Caesare filio feci, Sex. Pompeio et Sex. Appuleio cos.

Ch. 14: Filios meos, quos iuvenes mihi eripuit fortuna, Gaium et Lucium Caesares, honoris mei caussa senatus populusque Romanus annum quintum et decimum agentis consules designavit.

Ch. 21: Theatrum ad aede Apollinis in solo magna ex parte a privatis empto feci, quod sub nomine M. Marcelli generi mei esset.

Ch. 22: Pro conlegio XV virorum magister conlegi collega M. Agrippa ludos saeculares . . . feci.

Ch. 27: Armeniam maiorem interfecto rege eius Artaxe cum possem facere provinciam, malui maiorum nostrorum exemplo regnum id Tigrani regis Artavasdis filio . . . per Ti. Neronem tradere, qui tum mihi privignus erat. Et eandem gentem postea descendentem et rebellantem domitam per Gaium filium meum regi Ariobarzani regis Medorum Artabazi filio regendam tradidi.

Ch. 30: Pannoniorum gentes, quas ante me principem populi Romani exercitus numquam adit, devictas per Ti. Neronem, qui tum erat privignus et legatus meus, imperio populi Romani subieci.

The names which occur are, Marcus Agrippa, mentioned twice; Gaius and Lucius Caesar mentioned together in one place; Gaius Caesar mentioned once alone; Marcus Marcellus, mentioned once; Tiberius Nero, mentioned three times. These five men of the imperial household are the very ones who at one time or another during the long reign of Augustus were groomed by him and marked as the successors to his powers. No others came into consideration for the imperial succession and no others are mentioned in the *Res Gestae*. It seems, therefore, that Augustus when writing the *Res Gestae* was preparing the way for the succession in his family, just as during his principate he had prepared, one after the other, Agrippa, Marcellus, Gaius and Lucius Caesar, and finally Tiberius, for the great task. As he had prepared the Roman people for the succession, as well as these princes, by pushing them wherever possible into prominent and responsible positions, so he reminds a later generation unostentatiously of the work done at his side by Agrippa, of the young Marcellus, of the honors bestowed upon the two young Caesars, and of the faithful labors of Tiberius Nero in behalf of the state.

The passage (chapter 14) in which Augustus recalls the honors granted to Gaius and Lucius Caesar is especially significant. It occurs in the last chapter of the general division of the *Res Gestae* which recounts the "honores" of Augustus. The statement is that the senate and Roman people designated these youths as consuls in their fifteenth year, "honoris mei causa"; that they were permitted to be present at the deliberations of the senate from the day upon which they assumed the toga virilis; and that they were called *principes iuventutis*. It seems a curious anticlimax, coming at the end of the long list of honors and offices granted to Caesar. Did these unusual privileges and attentions bestowed upon his two adopted sons really reflect so much glory upon the man who had been admitted to the senate and had been elected consul in his twentieth year,<sup>21</sup> who had been chosen *triumvir rei publicae constituendae* in his twenty-first year, who had declined many triumphs and even the dictatorship?<sup>22</sup> Evidently the honors paid to Augustus were, according to the impression he would leave, honors paid to his family, and the honors of his family were honors bestowed equally upon him. Thus the idea of the family and consequently the idea of the inheritance are tactfully suggested in the chapter devoted to the young Caesars.<sup>23</sup>

<sup>21</sup> *Res Gestae*, ch. 1.

<sup>22</sup> *Ibid.*, chs. 4 and 5.

<sup>23</sup> This fact did not escape Nissen. *Rheinisches Museum*, XLI. 487 (1886): "Die Nennung des Tiberius, des Gaius, namentlich das 14. Kapitel von der Erhe-

Stranger even than the emphasis upon the extraordinary position of the two *principes iuventutis* is the peculiar choice made by Augustus in publishing the names of his generals in the *Res Gestae*. The name of Tiberius appears in connection with the Armenian campaign of 22 B. C.<sup>24</sup> Gaius Caesar is mentioned in connection with the Armenian campaign of the year 2 A. D.<sup>25</sup> Tiberius is again mentioned by name (in chapter 30) for his victories over the Pannonians in the years 12–10 B. C. Note that in each case the relationship with the Princeps is especially emphasized: “per Ti. Neronem, qui tum mihi privignus erat; per Gaium filium meum; per Ti. Neronem qui tum erat privignus et legatus meus”. Compare also the mention of Marcellus’s name in chapter 21: “sub nomine M. Marcelli generi mei”.

The motive which dictates to Augustus what names among his generals are to be mentioned is easily apparent. They are surely not selected on a basis of the value of their services to the state and the Princeps, nor because of the importance of their victories. The well-conducted though fruitless campaigns of Gaius Aelius Gallus in Arabia in the years 25 and 24 B. C., and the brilliant work of Gaius Petronius in Aethiopia in 24 and 23 B. C., receive the following comment:<sup>26</sup> “Meo iussu et auspicio ducti sunt duo exercitus eodem fere tempore in Aethiopiam et in Arabiam . . . maximaeque hostium gentis utriusque copiae caesae sunt in acie et complura oppida capta. In Aethiopiam usque ad oppidum Nabata perventum est, cui proxima est Meroë. In Arabiam usque in fines Sabaeorum processit exercitus ad oppidum Mariba.” In neither case is the name of the general given, although Petronius won the position of prefect of Egypt as a reward for his success. Marcus Licinius Crassus suppressed the dangerous uprisings of the Dacians in the years 29–28 B. C., and was awarded a triumph in 27 B. C., for his able conduct of the war. His name does not appear in Augustus’s statement of this outbreak.<sup>27</sup> The name of Gnaeus Cornelius Lentulus does not occur in the account of the Dacian wars although he earned the honor of a triumph for his service against the Dacians in the years 5–7 A. D.<sup>28</sup>

Still more noticeable than the omission of these names is the

bung des Gaius und Lucius Caesar zu principes iuventutis hängt mit dem dynastischen Endziel seiner Politik zusammen; in den Söhnen wird der Vater geehrt; in seinem Sinne erbt das ihm geschenkte und so glänzend gerechtfertigte Vertrauen von selbst auf die Söhne fort.”

<sup>24</sup> *Res Gestae*, ch. 27.

<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.*, ch. 26. Cf. Gardthausen, *Augustus und seine Zeit*, vol. I., book VIII., ch. 1.

<sup>27</sup> *Res Gestae*, ch. 30.

<sup>28</sup> See Mommsen, *Res Gestae Divi Augusti*, second ed., pp. 131–132.



fact that Drusus's name does not appear in the *Res Gestae*. He was a great favorite of Augustus and equally beloved by the Roman populace and the soldiers who served under him.<sup>29</sup> His brilliant success in conquering Germany from the Rhine to the Elbe in the years 11-9 B. C. must have won the admiration of the Princesps and aroused the enthusiasm of his people. Yet no further notice is taken of this work in the *Res Gestae* than is contained in the words: "Gallias et Hispanias provincias et Germaniam qua includit oceanus a Gadibus ad ostium Albis fluminis pacavi".<sup>30</sup>

Why should the campaigns of Drusus be passed over in this fashion and the doubtful successes of Gaius Caesar in Armenia be given with mention of his name, when Gaius left his work half finished and set out for Rome disillusioned and disheartened?<sup>31</sup> I see no other possible explanation for these facts than the one already suggested, that Augustus was intent upon recalling to the minds of the senate and the Roman populace those names which would emphasize the idea of the inheritance of the powers of the Princesps.<sup>32</sup> In this light the reason becomes clear why Augustus refrained from referring to the state as *res publica* in dealing with all events which occurred after 27 B. C. It is to be found in the fact that he was endeavoring to perpetuate his absolute control in the person of his stepson, Tiberius, and the old diplomat was far too keen to mention the words *res publica*, where it could be avoided, in a document intended for publication at the critical time when the matter of the succession was being decided.

The question arises whether the conditions at Rome during the last years of Augustus's life were such as to demand this indirect method of suggesting the inheritance of the power by Tiberius, who especially comes into consideration at the time when the *Res Gestae* took its final form. Furthermore, was the document published in such a manner as to further the interests of Tiberius? There can be no doubt that the uncertainty of the succession was the one great weakness in the singular state-form constructed by

<sup>29</sup> Suetonius, *Claudius*, 1; Horace, *Odes*, IV. 14; Gardthausen, *Augustus und seine Zeit*, I. 1040.

<sup>30</sup> *Res Gestae*, ch. 26. The campaign of Tiberius and Drusus against the Rhaeti and Vindelici in 15 B. C. might have been mentioned separately here, but the name of Tiberius could not well be given without that of Drusus. For this reason the campaign does not receive separate notice.

<sup>31</sup> See Gardthausen, *Augustus und seine Zeit*, I. 1144.

<sup>32</sup> Cf. E. Kornemann, "Zum Monumentum Ancyranum", in *Beiträge zur Alten Geschichte*, 1902, p. 153. The idea that the inheritance was in Augustus's mind when he wrote the *Res Gestae* is not a new one, as is shown by the following words of Kornemann: "Mit dem eignen Ruhm auf diesem Gebiet [d. h. der Kriegsthaten] liess sich aber jetzt der Ruhm der präsumptiven Nachfolger verkünden und damit der Dauer der neuen Ordnung ein Dienst erwiesen". In my opinion, however, the importance of this fact has either passed unnoticed or has been greatly underestimated.



Augustus Caesar. Theoretically the republic still existed and the accumulated powers held by the Princeps were held only temporarily. The extraordinary powers granted to Tiberius during the life of Augustus, including the tribunician and proconsular powers, were only bestowed upon him for periods of five or ten years at a time. The history of the first century repeatedly showed this great weakness of an uncertain succession to the imperial powers. Notably was this true at the accession of Claudius, in the year of the civil wars, and again at Nerva's accession. Augustus knew this weakness; but after he had once entered upon the great game of allowing the senate its share in the power, he was compelled to play the game steadily and consistently to the end. He sought to bridge over this difficulty by preparing a successor from his family whose training and prominence would insure him the same grants of power as Augustus had enjoyed. Gardthausen has correctly pointed out that the decision between the republic and the monarchy would be made at the crisis which must necessarily ensue upon the death of the founder of the empire,<sup>33</sup> when a precedent would be established which would practically be a rule.

In its general aspects, therefore, the succession was the one thing which must have occasioned Augustus anxiety, since there can be no doubt that he wished to establish the principle of inheritance. The question then arises: Were there specific conditions in relation to Tiberius, which complicated the situation and made it necessary for such careful advancement of the family idea and the claims of Tiberius as I have indicated? Tiberius was not a man who could attract and hold popularity with the crowd. The verses quoted by Suetonius,<sup>34</sup> which ran through the streets of Rome, testify to the popular dislike of the dour prince. Augustus himself felt uncomfortable in the presence of Tiberius<sup>35</sup> and felt constrained to explain his unpopularity before the senate by attributing it to his peculiar disposition.<sup>36</sup> The accession of Tiberius was by no means unquestioned. Suetonius narrates the plot of a slave of the young Agrippa against Tiberius's life, the attempted coup d'état of L. Scribonius Libo, and the revolts of the armies in Illyricum and in Germany all occurring at that time.<sup>37</sup> Tacitus has imagined and painted the heart and thought of the city of Rome at the time of Augustus's death with his usual keen insight and dramatic skill.<sup>38</sup> In his analysis

<sup>33</sup> Gardthausen, *Augustus und seine Zeit*, I. 533.

<sup>34</sup> Suetonius, *Tiberius*, ch. 29.

<sup>35</sup> *Ibid.*, ch. 21.

<sup>36</sup> *Ibid.*, ch. 68; Tacitus, *Annals*, I. 10, 7.

<sup>37</sup> *Ibid.*, ch. 25.

<sup>38</sup> Tacitus, *Annals*, I. 4-8.

of the situation, the chief cause of fear on the part of Tiberius lay in the attitude of Germanicus who was then in command of the legions along the Rhine.<sup>39</sup> Indeed these mutinous legions, if Tacitus may be trusted, offered to support Germanicus in case he would consent to strike for the imperial powers.<sup>40</sup> To the fidelity of Germanicus at this critical stage Tiberius surely owed his deepest gratitude. Whether Augustus foresaw the possibility of an attempt to invest Germanicus with the imperial offices or not, the omission of Drusus's name from the account of the deeds, and that of Germanicus as well, helped to clear the decks, at least in the senate, for Tiberius's accession.

Tiberius aptly expressed his feeling of insecurity at this critical stage when he said that he felt as though he had a wolf by the ears. His desire to have the office thrust upon him became patent to the senate itself and wearied some of its members. Yet this play seemed necessary, since the powers already granted him through the influence of Augustus were in theory still regarded as extraordinary; and the situation demanded that he should say that he hoped at some time to lay down the burden placed upon him.<sup>41</sup>

The list of documents written by Augustus, in which the *Res Gestae* were included, had been deposited by the Princeps with the Vestal Virgins sixteen months before his death. They consisted of the will and three other documents. The first of the group of three contained the orders in regard to his funeral, the second was the *Res Gestae*, the third a summary of the military and financial condition of the empire. These three documents were read before the senate by Drusus,<sup>42</sup> son of Tiberius, in the first meeting held after the death of Augustus. No action had as yet been taken in regard to conferring the powers upon Tiberius. It seems evident, therefore, that the publication of the deeds of Augustus at that particular time and place was decided by the needs of the situation. Augustus reckoned upon its effect upon the senate. He could not consistently name his successor. He could, however, make use of the account of his deeds to justify the inheritance of power in his family and influence the senate's opinion in favor of Tiberius. In like manner the publication of the document before the mausoleum of Augustus would, as the aged Princeps no doubt hoped, accustom the people of Rome to the idea of the inherited monarchy.

It would be folly to assert that this purpose was the sole or even the most important one which animated Augustus in writing the

<sup>39</sup> Tacitus, *Annals*, I. 7, 9.

<sup>40</sup> *Ibid.*, I. 35, 3.

<sup>41</sup> Suetonius, *Tiberius*, ch. 24.

<sup>42</sup> Suetonius, *Augustus*, ch. 101, and *Tiberius*, ch. 23.

*Res Gestae*. My only claim is that this political motive was in his mind when he wrote the document and that it played a considerable part in the composition and in the manner of publication of the *Res Gestae*.<sup>43</sup>

<sup>43</sup> I have reserved for another time the attempt to square the results of this investigation with Kornemann's contention in regard to the time of composition of the different parts of the *Res Gestae*. In general it may be said that the conditions which demanded emphasis upon the idea of the inheritance remained the same throughout Augustus's principate. Therefore the results of the paper are not affected if one accepts Kornemann's conclusion that the final revision by Augustus occurred in 6 A.D. See Kornemann in *Beiträge zur Alten Geschichte*, vols. II., III., IV., V.

W. L. WESTERMANN.

## THE FIRST CONCENTRATION OF JURIES: THE WRIT OF JULY 21, 1213

AMONG the bits of original material which give us our scanty knowledge of the beginnings of the House of Commons, few have more interest than the royal writ of July 21, 1213, found embedded in the chronicle of Wendover.<sup>1</sup> Few also have given more trouble to the researcher in this field. The House of Commons originated in the bringing together of local juries at a central point to plan taxes or to inform the king on local revenue matters or the doings of his officials. Juries had often been used for such purposes before the device of getting them together and questioning them *en masse* had been thought of. But in studying the origin of an assembly, this feature of concentration is fundamental; and it is highly important to know the very first instance in which the idea was clearly present. For, whether or not this first instance served as a precedent and thus constituted the historical discovery of the new feature, it indicates the degree of development and familiarity reached by the practices and ideas out of which the new institution grew; and it is no small thing in understanding the origin of an institution to know the point at which it was potentially present.

It has been generally supposed that the writ under discussion records the first instance of jury concentration. But the language has at the same time appeared to contain the expression of at least two ideas so at variance with the known practices and conceptions of the time that, being but a chronicler's copy, many scholars have lost faith in the writ and have come to regard it as a text hopelessly corrupt. In the first place, the purpose being to assess the damages and losses inflicted on the Church by the king, why should the king have directed his summons to royal demesne juries, a curious specialization in any case, but particularly so in this, since it has been supposed that the men in the royal villis had little or no knowledge of the matter to be investigated? In the second place, how account for the word *alios* before *ministros suos*, where it clearly

<sup>1</sup> "In crastino autem misit rex litteras ad omnes vicecomites regni Angliae, praecipiens ut de singulis dominicorum suorum villis quatuor legales homines cum praeposito apud Sanctum Albanum pridie nonas Augusti facerent convenire, ut per illos et alios ministros suos de damnis singulorum episcoporum et ablatiis certitudinem inquireret, et quid singulis deberetur." Stubbs, *Charters*, fifth ed., p. 276.

implies that the reeve and four men were royal ministers, an implication apparently contrary to fact?

Two noteworthy attempts to grapple with these difficulties, which have appeared in recent volumes of the *English Historical Review*,<sup>2</sup> have yet left scholars questioning and dissatisfied. Mr. Davis avoids the troublesome implication of *alios ministros suos* by an emendation which, as Mr. Turner justly remarks, makes the chronicler's copy look less like a royal writ than it does already. He retains the traditional idea that the juries were drawn from the royal demesne, but believes that they were consulted in the localities by the sheriffs who brought the findings to the central meeting of August 4. Mr. Turner rejects the royal demesne juries on the ground stated above. To assume jurors not having a knowledge of the facts would do violence to a stable characteristic of the primitive sworn inquest. He is forced to believe, then, that they were juries drawn from the villas on the bishops' estates, and he explains the *dominorum suorum* by imagining an omitted prefatory recital in which the bishops and their wrongs were mentioned, thus making *suorum* refer to the bishops rather than to the king. Moreover, Mr. Turner appears to believe that the juries may actually have gathered at St. Albans on August 4, but that the king soon recognized that the testimony of these ecclesiastically biased groups needed sifting and hence, through his writ of August 31,<sup>3</sup> undertook to cooperate with the archbishop in a mutual inquisition held in the localities.

Is it not possible to make a reasonable interpretation of the document without resorting to a dubious emendation or a supposed omission? A valid starting-point may be taken in Mr. Turner's dictum that no juries of this time could have been judges of fact except in the rudimentary way which is now well recognized in most forms of the primitive inquest. These juries, then, whoever composed them, were chosen because they knew or were supposed to know about the damages and losses which the king had inflicted

<sup>2</sup> H. W. C. Davis, *English Historical Review*, XX. 289, 290; G. J. Turner, *ibid.*, XXI. 297-299.

<sup>3</sup> "Rex vicecomiti Somerset, et Dorset, etc. Tibi precipimus quod sine dilacione ex parte nostra praecipias Roberto de Berkeley, Rogero de Penton, et Osberto filio Willelmi, quod omni occasione postposita veniant ad diem et locum, quos dominus episcopus Bathon' tibi scire fecerit, ad audiendam inquisitionem de ablatiis et dampnis episcoporum et clericorum, et omnium virorum ecclesiasticorum et aliorum negotium ecclesiae contingentium, faciendam, coram clericis domini Cantuar' archiepiscopi, quos ad hoc per litteras suas patentes assignaverit.

"Et summone ex parte nostra omnes illos de balliva tua, qui custodiam vel aliquam ballivam habuerunt de rebus ecclesiasticis a tempore mote discordie inter nos et clerum Angliae, quod tunc coram predictis clericis domini archiepiscopi compareant, ad predictam inquisitionem audiendam.

"Teste meipso apud Northampton, xxxi die Augusti." *Foedera*, I. 114. See also *Close Rolls*, I. 164, 165.



on the Church. What men in the localities knew most on this subject? A quite definite answer is found in the *Annals of Waverley* for the year 1208. After telling of the publication of the interdict and how the angry king sent "his ministers" throughout England to confiscate church property, the chronicler continues: "Qui circueuntes regionem saisiverunt bona clericorum mobilia et immobilia intra et extra, committentes curam rerum illarum in singulis villis vicinis hominibus, per quorum manus clerici perciperent de rebus suis necessaria".<sup>4</sup> It is not possible to suppose that the king selected for this charge men in the bishops' villis. But it is altogether likely that men in nearby royal villis were used. From the king's point of view, such men would have been in every way most available. And it need not be supposed that every royal vill in the diocese, or even in the neighborhood, was concerned; it is clear, from the context, that *singulis* is used here in its frequent sense of "separate" or "individual" rather than "each" or "every". We may conclude that as many and such villis were selected as circumstances required.

That local groups had had custody and oversight of church property since 1208 and were, in August, 1213, regarded as having exceptional knowledge of the facts and as men whose presence at the local inquest the king desired in his own interest, is shown from the above mentioned writ of August 31: "Et summe ex parte nostra omnes illos de balliva tua, qui custodiam vel aliquam ballivam habuerunt de rebus ecclesiasticis a tempore mote discordie inter nos et clerum Angliae, quod tunc coram predictis clericis domini archiepiscopi compareant, ad predictam inquisitionem audiendam". As to the kind of group in each vill to which the confiscated property had been entrusted, it is highly probable that it consisted of the reeve and four men. For over a century, villis had nearly always been thus represented when called upon for any kind of public service; and in 1225 this group was employed throughout the country in collecting a "fifteenth"; the money passed into their hands first, a proceeding quite analogous to the handling of the church property in the instance under consideration, and there is an interesting parallelism in language: "Quam quidem quintam decimam milites illi recipient per manus quatuor legalium hominum et praepositorum singularum villarum," . . .<sup>5</sup> It seems necessary to conclude that

<sup>4</sup>The whole passage concerned reads: "Rex igitur hoc edicto generaliter pronunciato per Angliam, miro modo turbatus, praecipit confiscari per universum regnum suum omnes possessiones episcoporum et clericorum et virorum religiosorum, et omnia bona ecclesiastica, et misit per singulas provincias ministros suos tam clericos quam laicos ad confiscanda bona ecclesiarum. Qui circueuntes regionem", etc. Stubbs, *Charters*, fifth ed., p. 274; *Ann. Wav.*, p. 260.

<sup>5</sup>"Writ for the Collection of the Fifteenth." Stubbs, *Charters*, fifth ed., p. 356.

the juries summoned on July 21 were the same as those summoned on August 31 and that they consisted of the men in the demesne villis who had been keeping the church property. The order of events, then, was this:

1. The king, in 1208, turned over the confiscated church property in each diocese to the reeve and four men of certain nearby demesne villis. These men retained more or less custody or oversight of this property until 1213.

2. After his surrender to the pope, May 15, 1213, John was absolved by the archbishop on July 20, four days after the latter's landing in England. Two objects must immediately engage the king. First, he must assemble a council to further his cherished purpose of an expedition to France. The barons had long been refusing to follow him to France on the ground that he was excommunicate. Second, he was bound, however reluctantly, to take steps to indemnify the Church. The first step was to assess the "damages and losses", and the writs were sent on the day after he was freed from excommunication. The men who knew the facts and who at the same time would not be likely to overestimate the royal depredations were the groups from those neighboring royal villis to which the king had entrusted the confiscated goods. Through the sheriffs, he summoned them to St. Albans for August 4.

4. The word *singulis* in the second line of the writ undoubtedly had the same meaning as in its analogous use in the passage from the *Waverley Annals*. Mr. Turner's fatal objection to demesne juries thus appears to be removed, and the writ throughout presents no real difficulty and may be accepted exactly as it stands in Wendover. As to the implication conveyed by the words *per illos et alios ministros suos* that the four men and reeve were ministers, it may be said: first, that men who had been acting so long as royal custodians might, with no great impropriety, be called ministers, especially in view of the very loose, general, and often humble senses in which *minister* was then used; secondly, if Mr. Turner believes that the episcopal reeve alone gives a sufficiently ministerial tinge to his group from the bishop's vill to account for the *alios*, we are certainly in no greater difficulty when we posit a reeve and four men from a royal vill. One has always been a little curious to know just who these *alios ministros suos* were from whom the king expected additional information. The sentence in the *Waverley Annals* just preceding the one quoted above suggests an answer: . . . "et misit per singulas provincias ministros suos tam clericos quam laicos ad confiscanda bona ecclesiarum". These men must also have had exceptional knowledge of the matters under investigation.

3. It has generally been concluded from the silence of the chronicles which tell of the St. Albans meeting that, for some reason, the plan fell through and the summoned juries did not convene. There is no reason to question this conclusion. It is highly improbable that the monkish chroniclers would have failed to mention an inquest in which the whole Church was deeply interested. From July 21 to August 4 was doubtless too short a time to carry out such an unusual scheme.

4. During August, the Archbishop of Canterbury seems to have taken the initiative in ordering local inquests on the same subject. He was probably exasperated by John's delays. John must have felt the necessity, if inquests were to be held, of having his own interests safeguarded; and, on August 31, sent out the writs of that date cited above. The same men were summoned who had been put in charge of the church goods in 1208, and, if the present deductions are sound, the same who had been named in the writs of July 21.

This explanation of the famous writ leaves it what it traditionally has been supposed to be, except that it is not to be believed that *every* royal vill was included in the summons. But its study in the light of what happened at the opening of John's quarrel with the Church and the local inquest ordered on August 31 removes, in the opinion of the writer, the difficulties which have beset its interpretation.

ALBERT BEEBE WHITE.

## THE BOARD OF TRADE AT WORK

To the student of colonial history few English institutions offer more of interest than the one which, in name at least, presided over the destinies of the English establishments in North America, the Board of Trade and Plantations. The full story of its activities remains to be written, but in the course of investigations to that end many details of its inner life, scarcely less important and often much more interesting than the record of its public acts, have come to light. It seems not without value to bring these together to form a picture of the Board as a living, working body. For it is particularly true of the old British administrative councils that their internal history is often hardly inferior to their external career in importance. This is peculiarly true of the Board of Trade. It is proposed in the following study to describe as well as may be, what in an individual would be called, its private life.

"They had", says Roger North in his *Examen*, writing of a Restoration Council of Trade, "a formal Board with Green Cloth and Standishes, Clerks good store, a tall Porter and Staff and fitting Attendance below and a huge Luminary at the Door. And in Winter time when the Board met, as was two or three times a Week or oftener, all the Rooms were lighted, coaches at the Door and great passing in and out as if a Council of State in good Earnest had been sitting." Though these words were applied to an earlier establishment they are full of suggestions of the later and greater Board. Beginning its career in the spring of 1696 without precedent or traditions beyond such as were derived from these earlier bodies, the new Board of Trade had neither meeting-place nor employees, material assets nor order of procedure. By the second quarter of the eighteenth century it had become a fixed and elaborate institution, with the outward look of "a Council of State in good earnest", so that North's half-humorous description no doubt well fitted the later board to which he was accustomed. To trace some of the steps by which its complex organization was evolved, and to give a glimpse of its inner life, its character and membership, is the purpose of this paper.

One of the first requisites for a new establishment like this was a meeting-place. In the royal commission issued in May, 1696, the persons therein named were directed to "meet together at some con-



venient place in our palace of Whitehall which we shall assign for that purpose or at any other place that we shall appoint for the execution of this our commission".<sup>1</sup> Though the place was thus named by the king, the details were left to be arranged by the commissioners themselves. For the first few meetings they occupied a room at Whitehall, adjoining the apartments which, late in July, were assigned for their permanent use.<sup>2</sup> The Board in a body officially inspected the rooms,<sup>3</sup> and spent considerable time discussing them, corresponding with the Treasury, the Lord Keeper, and even the king,<sup>4</sup> and interviewing Sir Christopher Wren who was then surveyor of the royal works.<sup>5</sup> As a result the office was fitted up in the course of the summer. It was occupied, however, only about a year and a half. On January 4, 1698, occurred the Whitehall fire, in which the Plantation Office, along with others, was destroyed.<sup>6</sup> By prompt action on the part of the secretary and clerks, the papers were probably all saved with the exception of a bundle relating to Africa.<sup>7</sup> The secretary, William Popple, took the books and papers to his home in Essex Street and there the meetings were held for about two months.<sup>8</sup> During this time, as before, the Board negotiated with Sir Christopher Wren<sup>9</sup> about the fitting up of the office.<sup>10</sup> In March permanent quarters were provided in that part of old Whitehall which had been commonly known as the Cockpit, and which about this time was remodelled for the Privy Council Office.<sup>11</sup> By 1718 the Board had outgrown this location and was asking for repairs and the building of a new room,<sup>12</sup> but no change was made

<sup>1</sup> Board of Trade Journal (B. T. J.), vol. IX., p. 1.

<sup>2</sup> *Ibid.*, p. 25.

<sup>3</sup> *Ibid.*, p. 12.

<sup>4</sup> *Ibid.*, pp. 11, 13.

<sup>5</sup> *Ibid.*, pp. 7, 8, 9.

<sup>6</sup> B. T. J., X. 391.

<sup>7</sup> B. T. Calendars, 66, contains an inventory of books and papers of the Plantation Office. Against one of them is the memorandum, "This bundle of African papers was lost in the fire at Whitehall Jan. 4, 1697/8".

<sup>8</sup> B. T. J., X. 391-446.

<sup>9</sup> *Ibid.*, pp. 397-398.

<sup>10</sup> Even minor details were discussed at the Board. In one case the secretary was instructed to write for "locks, grates and tongs" for the rooms of the Board of Trade. B. T. J., X. 415.

<sup>11</sup> John Timbs, *Walks and Talks about London*. The word Cockpit was used only a few weeks. After May 30, 1698, the Board's papers were all dated at Whitehall, but there was no change at this time.

<sup>12</sup> B. T. J., XXVII. 65. In July, 1720, this demand was increased to two rooms, and from this time till 1736 requests for repairs were frequent. The complicated interrelation among parts of the British government may be illustrated by the fact that these requests were addressed at different times to the Lord Chamberlain, the Lords Justices, the Lords of the Treasury, and the Board of Works. The decision seems to have been that the Treasury was the proper authority. *Ibid.*, p. 181; XXX. 270, 283, 288; XXXI. 328, etc.



till 1723. In that year the Commissioners of Trade were asked to vacate their office in favor of the Bishop of London<sup>13</sup> and were assigned to other apartments in Whitehall. Here they worked without interruption for nearly twenty years. In 1742 the building which they occupied was sold to the "Commissioners for Erecting a Bridge at Westminster", who demanded a rental of £120 annually and refused to lease the place for longer than a year and a quarter in advance.<sup>14</sup> The Board paid rent till the summer of 1746, when a new office was fitted up in the Cockpit over the Treasury.<sup>15</sup> Here—and it was probably true of earlier buildings as well—the clerks and under officers "resided in the attick story" above the rooms of the Board of Trade.<sup>16</sup> No doubt this was in order to have them ever at hand, for their office hours were many and long. By 1774 the Board's lengthy reports and accumulated material had again outgrown the available space. On November 5, a petition was sent to the Treasury asking "either that the other state papers now kept in the rooms adjoining to these apartments on the South may be removed or that some other place within His Majesty's Palace of Whitehall may be appointed for carrying on the business of this department".<sup>17</sup> As this is the last trace in the Journal of the housing of the Board, the situation, most likely, was not relieved till the dissolution in 1782.

In spite of these repeated changes, the general arrangement of the Plantation Office must have been similar throughout. With the exception probably of the first temporary location, it always consisted of four rooms or groups of rooms. The Council Chamber, where formal meetings of the Board were held, must have been of considerable size, as it was usual to give audience to a number of people at one time.<sup>18</sup> Here the commissioners seem to have sat around a table, each having his own place according to a definite order of precedence.<sup>19</sup> Communicating with this room from one side was that of the secretary, and from another side the waiting-room or rooms<sup>20</sup>—for there were at times several of them—

<sup>13</sup> B. T. J., XXXIII. 194.

<sup>14</sup> *Ibid.*, vol. LI. pt. I., p. 75.

<sup>15</sup> *Ibid.*, LIV., 49.

<sup>16</sup> *Ibid.*, LXVI. 197.

<sup>17</sup> *Ibid.*, LXXXII. 69.

<sup>18</sup> *E. g.*, March 26, 1737, when a "great number of Quakers" attended the Board. B. T. J., XLVII. 98.

<sup>19</sup> The names of the Lords of Trade always appear in a fixed order. When a name was omitted from the Commission, all below it were advanced and the name of the new member placed at the end of the list, except that a peer's name took precedence of others.

<sup>20</sup> B. T. J., XXXVIII. 235.

where witnesses, petitioners, and visitors of all sorts had to wait till formally admitted to the Board. Besides these<sup>21</sup> there was the clerks' room, which was most carefully guarded from outside intrusion. It was furnished with a separate desk for each clerk<sup>22</sup> and facilities for the constant drafting, copying, and assorting of documents.

It will be seen, then, that the Colonial Office was an establishment of considerable size and orderly arrangement. The Board of Trade which occupied this office was likewise well organized. It consisted at the outset of eight active and eight honorary members. The honorary or ex-officio members, the Chancellor, President of the Council, Keeper of the Privy Seal, Lord Treasurer, Lord High Admiral, two Secretaries of State, and Chancellor of the Exchequer, were required to attend the Board only on special occasions.<sup>23</sup> On the active members, two<sup>24</sup> lords and six commoners, devolved therefore the responsibility of office. The member first named in the commission—and this was always a peer—was the president. Three members were to constitute a quorum for the transaction of business, while all letters and representations must be signed by five. This last requirement was lowered to four in 1697.<sup>25</sup> From 1707 to 1712 only seven active members were named, and from 1712 to 1717 the Chancellor of the Exchequer was omitted from the honorary list. Otherwise the constitution of the Board was unchanged until 1768, when the newly established Secretary of State for the Colonies became ex-officio president, and only seven members were appointed by name. From 1779 to the dissolution in 1782 there was a separate president, thus making up the usual number of active members apart from the Secretary of State.

The Board seems to have had full authority over the time and frequency of its own meetings;<sup>26</sup> and if the number of them is any

<sup>21</sup> It is clear that there must have been also, especially in the Board's later years, a room or group of rooms used for storing the immense mass of books and papers that had accumulated. Curiously enough, the Journal makes no mention of such rooms.

<sup>22</sup> B. T. J., LVI. 100.

<sup>23</sup> "And we do hereby further declare our royal will and pleasure to be that we do not hereby intend that our Chancellor [etc.] . . . shall be obliged to give constant attendance at the meetings of our said Commissioners, but only so often and when the presence of them or any of them shall be necessary and requisite and as their other public service will permit." From the Commission, B. T. J., IX. 1. It is printed in *N. Y. Col. Doc.*, IV. 145.

<sup>24</sup> After 1714 and during short intervals before that time, only one lord was appointed to the Board, the other members being commoners.

<sup>25</sup> B. T. J., X. 233.

<sup>26</sup> *E. g.*, on June 25, 1696, the Board decided to meet every Monday at 4 p. m. and every Wednesday and Friday at 10 a. m. (B. T. J., IX. 7) and on June 23, 1702, it decided to meet Mondays and Wednesdays at 4, and Tuesday, Thursday, and Friday at 10 (*Ibid.*, XV. 97).

indication, it must have been, during the first few years of its history, a very efficient public servant. In the first ten years it was not uncommon to meet eighteen, twenty, or even twenty-four times a month, and the average per month for a whole year was sometimes as high as eighteen or nineteen. By the middle of the century this average had been lowered to the neighborhood of ten, the Board's zeal having somewhat abated. After 1768 there was a more marked falling off, due possibly to the decrease of the Board's authority and its dependence on the Secretary of State for the Colonies.<sup>27</sup> Not only were the meetings less frequent in the winter, but it came to be customary to indulge in a vacation in the summer or autumn. As early as the '30's it was common to adjourn<sup>28</sup> for a month, and as time went on this was increased to two months and even three during which no effort was made to hold any meetings whatever. Perhaps this may throw some light on Edward Gibbon's admission that "our duty was not intolerably severe and that I enjoyed many days and weeks of repose without being called away from my library to the office".<sup>29</sup>

In attendance as well as the number of meetings the Board made a good beginning. At first the average attendance ranged from four to six with a "full Board" on special occasions. In this as in other particulars enthusiasm waned toward the middle of the century, though it was somewhat renewed again at the end of the period. As early as 1708 there was some difficulty in getting enough members together to transact business,<sup>30</sup> and in 1709 the Earl of Sunderland ordered that enough members to form a quorum should be always in town.<sup>31</sup> When this was not the case a special summons was sometimes sent to the absentees who happened to be at the

<sup>27</sup>In 1774 the Board met, on an average, about twice a month, the lowest figure that it ever reached. Even this compares favorably with the Committee of Council for Trade and Plantations from 1675 to 1696, which met seven times a month during only one year, five times a month during one year, and the rest of the time from four times to a little more than once a month. Dr. Andrews says (*British Committees, Commissions, and Councils of Trade and Plantations, 1622-1675*, p. 78) that the Council of Trade held forty meetings in the year 1661. The Board held 35 meetings in 1774, 100 in 1767, 135 in 1749, 162 in 1730, 189 in 1715, and 230 in 1697.

<sup>28</sup>Adjournment might be for the "usual recess" in the summer or for other reasons. On March 7, 1768, the Board adjourned till April 12, "on account of the approaching general election". B. T. J., LXXXVI. 58. As most members of the Board were members of Parliament, they probably needed this time to look after their interests in the country.

<sup>29</sup>*Memoirs of Edward Gibbon* (ed. Henry Morley), p. 176. Gibbon was a member of the Board from July 14, 1779, to the disestablishment in 1782.

<sup>30</sup>B. T. J., XX. 35; XXI. 225.

<sup>31</sup>*Ibid.*, XXI. 234.

least distance from London.<sup>32</sup> A few times in 1733 Martin Bladen was left to uphold, alone, the dignity of the office.<sup>33</sup> So far as appears in the Journal the "Secretary" acquainted the Board<sup>34</sup> as usual of the business to be transacted and all the routine was gone through as though a quorum had been present.

The fact that anything at all could be done with only one member present is due, no doubt, to the constant attendance of the employees. Through them the Plantation Office was a permanent and continuous establishment which was always at work even when the Board itself did not meet. It is necessary, therefore, to glance at the office force and see just how it was constituted. The secretary was the most important official next to the commissioners themselves. At the first meeting that the Board ever held, June 25, 1696, it was decided to have a secretary and William Popple was appointed to that office.<sup>35</sup> Although this appointment was made by the Board, all following secretaries were named by the crown, while the Board continued to choose the other officials. In the first few weeks, employment was given to three clerks, two messengers, two doorkeepers, and a "necessary woman" or janitress, while two stationers were engaged to furnish paper under the Board's patronage.<sup>36</sup> In 1701 another clerk was added.<sup>37</sup> By 1708 the office staff consisted of a secretary at £500, a deputy secretary or chief clerk at £100, and seven clerks, two messengers, a doorkeeper, and a janitress, at from £80 to £30, the total amounting to £1150 a year.<sup>38</sup> After removing to the new office in 1724 the Board felt the need of a porter to attend at the door. The request was granted by the Treasury and the new officer installed at £40 per annum.<sup>39</sup> In 1730 the Board asked for and obtained still another official known as the solicitor and clerk of reports, at £200.<sup>40</sup> For over thirty years this position

<sup>32</sup> B. T. J., XL, 176.

<sup>33</sup> *Ibid.*, XLIII, 112, 114, 127, 128.

<sup>34</sup> After reading the Journal's frequent repetitions of this formula one is tempted to reverse the familiar story told of Bladen that when he applied himself to the business of the office, his friends in derision called him "Trade" and his colleagues "the Board". See *Dictionary of National Biography*, art. Martin Bladen.

<sup>35</sup> B. T. J., IX, 7.

<sup>36</sup> *Ibid.*, pp. 8, 11.

<sup>37</sup> *Ibid.*, XIV, 194.

<sup>38</sup> *Ibid.*, XX, 22.

<sup>39</sup> *Ibid.*, XXXIV, 115, 190. In 1733 the secretary reported that disorderly persons were in the habit of causing disturbance in front of the office at night. The Board therefore petitioned the Secretary at War for a sentinel to station at the door. B. T. J., XLIII, 13. I failed to find any evidence in the Journal that this officer was appointed.

<sup>40</sup> B. T. J., XL, 204; also, *Calendar of Treasury Books and Papers*, 1729-1730, p. 437.



stood next in rank to the secretaryship and served as a stepping-stone to that post. In 1764 the deputy secretary was promoted to second place at £300, while the solicitor at £150 stood between him and the clerks. At the same time the number of clerks was raised from seven to nine, and all the salaries increased.<sup>41</sup>

There were, then, at the end of the period, at least fifteen persons—some of them with considerable salaries—directly under the Board's control. Besides these there was a law-officer who must be counted a part of the establishment, though his position was on a higher plane than that of the other officials, and his attendance was only occasional. The reason for such an office was this: all colonial laws had to be examined by the Board of Trade and submitted by it to the king with a recommendation for their confirmation or repeal. Also many colonial questions were considered on which a technical legal knowledge was necessary. To obtain a legal opinion, it was at first customary to consult the attorney-general and the solicitor-general, sometimes separately and sometimes jointly. In order to make their work more systematic, they were, in November, 1698, asked to divide the field between them.<sup>42</sup> By 1718 the amount of business had outgrown the available time of either. It was, therefore, decided to appoint one of His Majesty's counsel-at-law to respond to all legal questions of the Board except those of the greatest importance, which were still to be referred to the attorney or solicitor.<sup>43</sup> This office was held by four persons: Richard West,<sup>44</sup> who was a playwright as well as a lawyer, held it from 1718 to 1725; Francis Fane, himself a member of the Board at a later time, from 1725 to 1746; Matthew Lamb, at one time a member of Parliament for Peterborough, from 1746 to 1770; and Richard Jackson,<sup>45</sup> whose remarkable knowledge won for him the title "Omniscient Jackson", from 1770 to the end of the Board's career in 1782.

The employees of the office, especially the clerks, were subject to rules<sup>46</sup> devised by the Board itself and varied from time to time. The hour at which they were to report for duty was sometimes eight o'clock, sometimes later, but there was always provision for an

<sup>41</sup> B. T. J., LXXII. 348. The ninth clerk seems never to have been appointed, though the eight served for some time.

<sup>42</sup> B. T. J., XI. 278.

<sup>43</sup> *Ibid.*, XXVII. 133, 203.

<sup>44</sup> West is said to have attended the Board twice a week and received three guineas for every attendance. *Cal. Treas. Papers*, 1720-1728, pp. 114, 313. He resigned this office in 1725 to become Lord Chancellor of Ireland. See article Richard West in *Dict. of Nat. Biog.*

<sup>45</sup> For details of Jackson's life, see *Dict. of Nat. Biog.*

<sup>46</sup> Such rules may be found in B. T. J., XXIV. 341; XXXVII. 183; XXXVIII. 235; XLI. 124; XLV. 66, 260; L. 30; LVI. 100; LXXII. 541; etc.



afternoon and, if necessary, an evening session, subject to the call of the secretary. In any case clerks were expected to be at work regularly without reference to meetings of the Board, in order to prepare business for such meetings. No clerk could leave the building without permission of the secretary, and before leaving it each one must turn over to that officer all books and papers in his desk to be locked up for safe keeping. The strictest vigilance was maintained to prevent documents from falling into the hands of persons for whom they were not intended. To this end, papers were not allowed to leave the building without permission of the Board, and the clerks while on duty were forbidden to communicate with anyone from outside, except through the agency of the secretary. Two rules were made to prevent the corrupting of clerks—that they should not act as agents for the plantations,<sup>47</sup> and that “no clerk should presume to demand money of any person for business done in this office”.<sup>48</sup> This latter seems not to refer to extraordinary attendance at the Board or the copying of papers for private persons, for which fees could legitimately be taken. The Privy Council issued an order August 12, 1731,<sup>49</sup> settling a schedule for such fees, and this was hung up in the office and referred to during the remaining fifty-one years of the Board’s history.<sup>50</sup> The penalty for violation of rules was dismissal from employment, and it was one not infrequently resorted to. It might be inflicted directly by the Board, or by the secretary, who had authority to suspend clerks for neglect of duty and submit his action afterwards to be sustained or reversed by the Board. The two most interesting cases of dismissal are those of Bryan Wheelock and John Lewis. Wheelock was expelled July 13, 1714, for charging Arthur Moore, a member of the Board, with improper correspondence with the court of Spain.<sup>51</sup> He was, however, soon reinstated and promoted to the office of head clerk,<sup>52</sup> which he held till his death in 1735. Lewis was accused in July, 1769, of having written treasonable letters to persons in America advising continued opposition. Testimony was taken of the other clerks and, being convicted of the charge, he was dismissed.<sup>53</sup>

<sup>47</sup> On May 1, 1724, Anthony Sanderson, a clerk, asked permission to act as agent of Massachusetts, till the dispute with the governor be settled. It was refused as inconsistent with the above rule. B. T. J., XXXIV. 107, 110. This incident is referred to in a letter dated May 24, 1724, from John Colman in London to his brother in Boston, giving an account of a hearing before the Privy Council on a complaint brought by Governor Shute against the House of Representatives of Massachusetts. Printed in *Collections of the Massachusetts Historical Society*, first series, V. 32–35.

<sup>48</sup> B. T. J., XXIV. 341; XL. 202.

<sup>49</sup> *Ibid.*, XLI. 230.

<sup>50</sup> *Ibid.*, LXXXVIII. 32.

<sup>51</sup> *Ibid.*, XXIV. 263.

<sup>52</sup> *Ibid.*, p. 341.

<sup>53</sup> *Ibid.*, LXXVII. 120, 132.

When, for any reason, a clerk left the service, all below him were promoted and the new appointee placed at the foot of the list. It was not uncommon for a clerk who had grown to old age or infirmity in the service of the Board to be retired on the whole or a part of his salary. This was done as early as 1714.<sup>54</sup> In 1764 the plan was adopted on a large scale.<sup>55</sup> Lord Hillsborough represented to the Chancellor of the Exchequer the need of more clerks and of higher salaries. As a result the Treasury made an additional grant of £1715 per annum to be used as the Board should see fit. The Board thereupon created two new clerkships,<sup>56</sup> raised all salaries, and allowed the deputy secretary and four clerks to retire on a pension for life.<sup>57</sup> As pensions reverted they were to be applied to still greater increase in salaries.

The appointment of officers, as time went on, was reduced to a definite system of patronage. The president gradually acquired the right to fill the first vacancy after he came into office, while the other commissioners took turns in naming a candidate, and their nominations were always accepted. This method was in use until 1764. On July 4 of that year, the same day on which the pensioning system was arranged as already noted, the Board adopted a "civil-service reform" of its own making.<sup>58</sup> By this each candidate for a clerkship was to present a specimen of his writing and write another specimen "in the outer room". The members of the Board still took turns in suggesting names, but each must be examined as to the qualifications of his candidate, and must withdraw during the discussion that followed. If the election failed he was not to lose his turn to nominate. In practice the applicants seem also to have undergone some sort of examination,<sup>59</sup> and several clerks served a week or more on probation without salary before being admitted to

<sup>54</sup> *Ibid.*, XXIV. 341.

<sup>55</sup> *Ibid.*, LXXII. 348.

<sup>56</sup> We have already seen that only one of these positions was ever filled. See above, note 41.

<sup>57</sup> It must be owned that many people seem to have looked upon employment in the Board's office as a means of livelihood, rather than a post of duty. The commissioners did not easily desert their servants. In July, 1781, the secretary, Richard Cumberland, came back from a mission to Spain and Gray Elliot, who had acted in his absence, was thus thrown out of office. On July 13 the Board recommended him to Lord North for employment. B. T. J., LXXXIX. 270. On the 18th an answer was received that North had no vacancy for Elliot but would "certainly make no difficulty" in allowing £250 in contingencies of the Board till he could be provided for and would "consider himself as obliged to the Board" if they could save this amount from their expenses. *Ibid.*, p. 279.

<sup>58</sup> B. T. J., LXXII. 348.

<sup>59</sup> *Ibid.*, p. 444.

regular employment.<sup>60</sup> By 1779 these details had been dropped and the old method of appointment resorted to.<sup>61</sup>

A study of the names and relationships of the Board's employees might produce some curious results. Some families stood in high favor with the colonial department, and acquired a remarkable ability for getting their names on the waiting list.<sup>62</sup> The Popples are the best illustration of this. The Board of Trade's first secretary, William Popple, who by the way was a nephew and protégé of the poet Andrew Marvell and had himself a slight place in literature through his translations,<sup>63</sup> left his office in turn to his son William<sup>64</sup> and his grandson Alured,<sup>65</sup> the family holding it continuously for forty-one years. But that is not all; in 1737, the year in which Alured Popple of the third generation resigned the secretaryship to become governor of Bermuda,<sup>66</sup> William Popple the third, another member of the family and a dramatist of some note, entered the Board's employ as solicitor and clerk of reports.<sup>67</sup> This post he held till 1745 when he went to Bermuda to succeed Alured as governor.<sup>68</sup> Not only this but Alured himself served an apprenticeship as a clerk for five years before being made secretary<sup>69</sup> and his brother Henry was a clerk for a few months in 1727.<sup>70</sup> The Popple family, therefore, spent sixty-three years in one capacity or another in the service of the Board of Trade.

The only family that can at all rival the Popples is that of the Pownalls. John Pownall entered the Board's service as a clerk June 24, 1741.<sup>71</sup> He became solicitor and clerk of reports in 1745,<sup>72</sup> joint secretary in 1753,<sup>73</sup> and secretary in 1758,<sup>74</sup> holding this office

<sup>60</sup> B. T. J., pp. 457, 467; LXXIII. 130.

<sup>61</sup> *Ibid.*, LXXXVII. 210.

<sup>62</sup> *Ibid.*, XXX. 336; XXXII. 64.

<sup>63</sup> *Dict. of Nat. Biog.* His most famous translation was that of Locke's *Letter on Toleration*. He was associated with Locke at the Board of Trade.

<sup>64</sup> B. T. J., XIX. 165.

<sup>65</sup> *Ibid.*, XXXII. 100.

<sup>66</sup> *Ibid.*, XLVII. 186.

<sup>67</sup> B. T. J., XLVIII. 106. According to an article in the *Dictionary of National Biography*, William Popple III., who was clerk of reports, was the only son of William Popple II., the Board's second secretary, and was a "relative" of Alured. It is very clear from the *Journal* that Alured and Henry were brothers and were sons of the second William. B. T. J., XXXII. 64, 100; XLIII. 161; XLIV. 174. Who the third William was I do not know, though I had supposed him to be Alured's son. He is spoken of in Pope's *Dunciad*—"Lo P-p-le's brow tremendous to the town". *Dict. Nat. Biog.*

<sup>68</sup> B. T. J., LIII. 63.

<sup>69</sup> *Ibid.*, XXVI. 223.

<sup>70</sup> *Ibid.*, XXXVII. 83.

<sup>71</sup> *Ibid.*, L. 67.

<sup>72</sup> *Ibid.*, LIII. 63.

<sup>73</sup> *Ibid.*, LXI. 153.

<sup>74</sup> *Ibid.*, LXVI. 238.

till 1776<sup>75</sup> and thus completing thirty-five years of uninterrupted service. Though he did not bequeath his office to his descendants as Popple had done, two of his family, Georgé<sup>76</sup> and John Lillington Pownall,<sup>77</sup> held clerkships. Besides these two conspicuous families there are a number of other persons on the office staff, whose similarity of names makes one stop and wonder how these people were related and how they came by their posts.<sup>78</sup> A few of the Board's employees seem to have been old and infirm at the time of appointment, and at least three were retired on a salary after from four to six years' service.<sup>79</sup> On the other hand, many spent years and even a lifetime in the Board's employ. A dozen men served twenty-five years or more—some of them much more—and one of them, Samuel Gellebrand, first as clerk and later as deputy secretary, gave fifty years of his life to the Board of Trade.<sup>80</sup>

Employment in the Colonial Office must have served as a good training for other posts in the government service—unless indeed it was simply a stepping-stone to further patronage. Whatever the explanation, several of the Board's servants were chosen for work in allied fields. We have already seen that Alured and William Popple were called away from the Board's service, in 1737 and 1745 respectively, to become governors of Bermuda. In 1711 Bryan Wheelock, then only a clerk, accompanied Sir John Copley on a mission to Italy,<sup>81</sup> and in 1717 another clerk, William Hoskins, was chosen by John Chetwynd, himself a member of the Board, to attend him on a similar mission to Spain.<sup>82</sup> In 1761 John Pownall the secretary left his work to go to Ireland with Lord Halifax<sup>83</sup> who was then Lord Lieutenant. In 1765 Silvester, the clerk of reports, gave up his position because he had been appointed agent "to the intended new government in Africa".<sup>84</sup> Again on May 7, 1776, Ambrose Serle, the clerk of reports, was given leave of absence without pay to become under-secretary to the "Commission which Lord Howe

<sup>75</sup> *Ibid.*, LXXXIV. 6.

<sup>76</sup> *Ibid.*, LXXX. 192; LXXXIII. 47.

<sup>77</sup> *Ibid.*, LXXVIII. 15; LXXX. 192.

<sup>78</sup> There were three Serles, two Hills, two Wrights, two Griffins, two Sedgwicks, and two Grays.

<sup>79</sup> Maurice Carrol, 1708-1714, and Daniel Cuchow and Robert Green, 1760-1764, all clerks.

<sup>80</sup> B. T. J., XX. 22; LXVI. 149.

<sup>81</sup> *Ibid.*, XXIII. 79.

<sup>82</sup> *Ibid.*, XXVI. 276. Chetwynd was envoy extraordinary and plenipotentiary to Madrid. *Ibid.*, p. 250.

<sup>83</sup> B. T. J., LXIX. 300.

<sup>84</sup> *Ibid.*, LXXII. 154. This was Senegambia. A plan to establish a government there was discussed at intervals in the first half of 1765, and by August the agents of the government were negotiating with the Board.



took to America".<sup>85</sup> Also Richard Cumberland, the Board's last secretary, was sent secretly in 1781 to help negotiate a Spanish treaty.<sup>86</sup>

These specific instances serve to illustrate the close relation between the Board of Trade and Plantations on the one hand, and the great world of colonies and trade on the other. Indeed unless their position was purely a sinecure as some have maintained, the men in this office must have had an excellent opportunity to become familiar with colonial questions. This was especially true of the secretary who figures as a very considerable personage.<sup>87</sup> He seems never to have had a vacation. He and at least some of his clerks were always at their posts to receive communications and prepare business for the meetings of the Board. He opened the Board's letters;<sup>88</sup> he transacted routine business, such as transmitting accounts to the Treasury, without waiting for orders;<sup>89</sup> he interviewed petitioners and visitors of all sorts, afterwards reporting their visits; he received innumerable communications in his own name and answered many of them, submitting his answer, however, for the Board's approval; he had the custody of all papers and the supervision of all clerks. If Mr. Penn postponed his attendance on the discussion of the Pennsylvania boundary, it was the secretary that received and reported the message. If the Board wished to interview certain men, it was the secretary who found out in some way that they were or were not in town. If the Lords of the Treasury or the Commissioners of Customs sent a message, it was usually delivered in the morning before the Commissioners of Trade had arrived, but the secretary was always there to receive it. He abstracted lengthily

<sup>85</sup> B. T. J., LXXXIV. 78. Serle is classified as a "Calvinist writer". He was the author of the *Christian Remembrancer*, *Christian Husbandry*, *The Church of God*, and other works. From 1776 to 1778 he accompanied the British army to America and during part of that time had control of the press in New York. *Dict. Nat. Biog.*

<sup>86</sup> B. T. J., LXXXIX. 260. Cumberland was a dramatist, beginning his literary career at an early age. According to the article in the *Dictionary of National Biography*, he owed his preferment to the favor of Lord Halifax. According to that article, the latter made him "*his private Secretary in the Board of Trade*" and as the office was "nearly a sinecure" he "amused himself by studying history and composing an epic poem". The Journal contains no record of his being a clerk in the office before his appointment as clerk of reports in 1765, and Halifax had not been a member of the Board since 1761.

<sup>87</sup> His influence with the Board may be shown by an illustration. On December 17, 1746, the Board adjourned till January 11 following. On December 23, the secretary called a meeting to receive a petition from the Bristol merchants against the edict of the French king. B. T. J., XLVI. 189.

<sup>88</sup> B. T. J., IX. 309.

<sup>89</sup> The president of the Board also, at times, transacted business alone during a recess. For an illustration of this see Westmoreland's action, February 20, 1728. B. T. J., XXXVIII. 43.



documents for the Board's convenience; procured books and papers for its use; summoned men to appear at its session; investigated various commercial projects; kept himself informed about the sailing of ships and other matters of interest. In fact everything that was done or said was passed in some way through the hands of this ever present secretary. Every detail from the misdemeanor of a clerk or the need of having a wall of the office whitewashed, to important matters of policy, was brought to the notice of the Board by this same official. It is a temptation to feel that the secretary of the Board of Trade must have been a really learned man on the subject of the colonies, or else the most mechanical worker in the kingdom.

It has been seen that the Board's establishment became constantly larger, and it naturally follows that it became also more expensive. The salaries of employees amounted to something like £800 in the earlier years and by the end of the period had reached £2000. But this was only one source of expense. The Commissioners themselves were drawing a salary of £1000 each.<sup>90</sup> Besides this there was the cost of housing, light, heat, materials, and postage. For the whole they were dependent on the Treasury. Curiously enough, no systematic arrangement was made at first to furnish the Board with funds. George Stepney reported, December 31, 1697, that he had paid for the new commission in which his name was inserted, to the amount of £70, out of his own pocket, and asked to be reimbursed from the Treasury.<sup>91</sup> In the following April some of the employees were believed to be in actual want, their salaries being one year in arrears.<sup>92</sup> In February a novel arrangement was resorted to. The secretary received from the Treasury £150 in Malt Lottery tickets of £10 each, and was ordered to "sell these as best he can".<sup>93</sup> In May one Mr. Berry presented a bill for maps, and the secretary was ordered to give him a malt ticket and the rest in money; but the secretary being entirely out of the latter, was sent out into the city to dispose of more tickets.<sup>94</sup> Indeed the malt tickets continued to be

<sup>90</sup> The Journal contains no statement of the amount of salary received by the Lords of Trade. From the Treasury Papers we know that in 1730 it was £1000 each, and it is not at all likely that this would decrease. Moreover, Edmund Burke declared in 1780 that the salary was £1000. On the other hand, Edward Gibbon wrote, "I was appointed one of the Lords Commissioners of Trade and Plantations and my private income was enlarged by a clear addition of between £700 and £800 a year". *Memoirs of Edward Gibbon* (ed. Henry Morley), p. 276. See *Calendar of Treasury Books and Papers, 1729-1730*, p. 407, and *Works of Edmund Burke*, II. 109.

<sup>91</sup> B. T. J., X. 386.

<sup>92</sup> *Ibid.*, XI. 17.

<sup>93</sup> *Ibid.*, X. 424.

the chief source of supply throughout the year. Even when they were gone, the Board received a somewhat precarious support at the hands of the Treasury,<sup>95</sup> the salaries being frequently in arrears.<sup>96</sup>

It gradually became the custom to send to the Treasury every quarter—at Lady Day, Midsummer, Michaelmas, and Christmas—an itemized account which, besides the clerks' salaries, included the secretary's account for incidentals, the stationer's bill, and a bill for postage. To this was added once a year a bill for "wood and coals" or "wood, coals and candles".<sup>97</sup> The bills were prepared and presented by the secretary and were frequently gone over, article by article, and signed by the Board before being sent to the Treasury. The amounts varied greatly from year to year. In 1708 this quarterly bill, apart from salaries, was £506 1d., of which £266 11s. 2d. were for postage. In the reign of George I., the bills were ranging between £400 and £900 and by 1730 had reached £1200. For some years accounts were not kept in detail. By 1763 the cost of maintaining the office had grown to £2098 4s., and this too, in spite of the fact that since 1746 all correspondence of the Board had been sent free of postage.

For years postage was a real burden. As early as October, 1696, William Blathwayt, in delivering a package of letters from the plantations, said that if free postage was not allowed as for the late Committee of Trade and Plantations the charge would soon amount to £500 per annum.<sup>98</sup> This estimate was somewhat exaggerated and produced no result. The Board asked for free postage in 1697,<sup>99</sup> but it was not granted, and bills from the Post-Office were frequently received<sup>100</sup> in spite of the fact that the quarterly estimate of expense always included an account with the postmaster. The charges on one box of papers from America, in the summer of 1746,

<sup>94</sup> B. T. J., XI. 55.

<sup>95</sup> Though a part of the government, the Board appears in some respects more like a private organization. Thus it paid for its own commission—evidently a fee for passing the commission under the seal. It paid for statutes, copies of bills before the House of Commons, etc. Judging from the Journal, each branch of the government paid every other branch for service done as though all had not been parts of one great whole.

<sup>96</sup> B. T. J., XXIII. 316; XXXIII. 128; XXXIV. 20; XXXV. 191. In 1769 the Board was in debt. B. T. J., LXXVII. 1.

<sup>97</sup> Besides the bills presented by the Board, the Treasury paid a good many fees presented individually. The attorney-general and solicitor-general before 1718, and after that the counsel-at-law, were paid for each attendance. So also were clerks of the Council and various servants and messengers. After the appointment of the counsel-at-law the Treasury decided that the attorney's and solicitor's fees should be taken out of the incidental expenses. B. T. J., XXX. 326. *Treas. Papers*, 1728–1730, p. 114.

<sup>98</sup> B. T. J., IX. 192.

<sup>99</sup> *Ibid.*, X. 127.

<sup>100</sup> E. g., *ibid.*, XIII. 244; XXXIX. 28, 240.

was "upwards of £30".<sup>101</sup> To this the Lords of Trade objected, and it was probably as a result of their complaint that the king<sup>102</sup> in November issued a warrant to the Postmaster General<sup>103</sup> freeing from postage all letters of the Board of Trade. In 1764 an act of Parliament was passed to "prevent frauds and abuses in the sending and receiving of letters and packets free of postage".<sup>104</sup> By this act the officers and departments that were exempted from postage, including the Board of Trade and Plantations, were required to authorize two persons each in their respective offices to endorse letters. The Board of Trade appointed for this duty Richard Rogers the deputy secretary and Silas Bradbury the clerk of reports, and decided on a form of endorsement as follows:<sup>105</sup>

Office of Trade and Plantations.	On His Majesty's Service R <sup>a</sup> Rogers to Mr. Thos. Styles at Portsmouth.

All letters and packages authorized by the Board were supposed to be superscribed according to this model.<sup>106</sup>

The importance of postage as an item of expense is not so surprising when one considers the large amount of written matter which found its way to the Board by post, and this is only part of the immense mass of manuscript material preserved in the office. When Burke made his celebrated attack on the Board he ridiculed its 2300 volumes of reports<sup>107</sup> and very likely this was not exaggerated. The Journal alone from 1675 to 1782 comprises ninety large volumes.<sup>108</sup> Perhaps a brief description of the Board's system of book-keeping will throw some light on its methods. The transactions of each meeting were reported, supposedly in full, in the Journal, the account containing the date and place of meeting, the names of those

<sup>101</sup> *Ibid.*, LIV. 71.

<sup>102</sup> *Ibid.*, p. 85.

<sup>103</sup> In October, 1755, the Postmaster General wrote to the Board that he had provided vessels for regular monthly correspondence with the colonies. B. T. J., LXIII. 303.

<sup>104</sup> 4 Geo. III., c. 24.

<sup>105</sup> B. T. J., LXXII. 182.

<sup>106</sup> There was at a later date some controversy as to whether or not the Lords of Trade were individually entitled to exemption under this act. B. T. J., LXXXVIII. 179.

<sup>107</sup> *Parl. Hist.*, XXI. 235.

<sup>108</sup> I have seen only the manuscript copies in the Historical Society of Pennsylvania. I understand that they are an exact reproduction of the original, not only in subject-matter but in paging, division of volumes, etc.

present, and usually a detailed report of all that took place. The last is, for the most part, naïve and straightforward and makes the reader feel that he has almost been present and watched the Board at its work. A vast army of men and women throughout these eighty-six years appeared at the Plantation Office and either made complaints or furnished information on some phase of the colonies or trade. Such complaints and information, when given orally as they frequently were, were reported in the Journal, often in the minutest detail, and plentifully sprinkled with quotations from the speaker's own words. In this way, not only the general heads of colonial business, but also in great measure the personality of the visitors, is preserved for the student. There were times when many details were omitted, owing no doubt to neglect. Especially at times between 1730 and 1740 it was not uncommon to make a more perfunctory and less picturesque account of the day's proceedings, but in the main, description is full. To the secretary, with the help of the clerks, was entrusted the compilation of reports and it was necessary to impose some check on them. To this end it was decided on December 20, 1714, that henceforth the minutes of each meeting should be read at the next meeting, and before being entered in the Journal should be signed by the commissioner highest in rank who should be present at the reading and had also been present when the business was transacted.<sup>109</sup> This rule was re-enacted from time to time,<sup>110</sup> and was for the most part adhered to, to the end of the Board's career.

But the Journal was, as we have seen, only a small part of the Board of Trade papers. To this must be added innumerable documents in the form of petitions, complaints, depositions, letters, narratives, etc., which in one way or another were introduced into the office, besides the bulky colonial correspondence which<sup>111</sup> was kept up more or less regularly throughout the entire history of the Board. All this material from whatever source was filed away in sections arranged according to subject. There was a bundle—or collection of bundles—for each colony; one marked "Proprieties" dealing with matters peculiar to proprietary governments; one called "Plantations General" having to do with matters of general colonial concern; a bundle on Trade, doubtless with subdivisions; and a miscellaneous one which included, among other things, all papers referring to the internal affairs of the Board itself. When one considers

<sup>109</sup> B. T. J., XXIV. 341.

<sup>110</sup> E. g., *ibid.*, XXXVII. 183; LVI. 100.

<sup>111</sup> This was at times in duplicate, the originals being sent to the Secretary of State.



that the series "Plantations General"<sup>112</sup> alone occupies thirty-one large folio volumes, and "Proprieties"<sup>113</sup> twenty-four of the same sort, it is possible to imagine the extent of the whole collection. The Board's method of book-keeping, at its best, involved marginal notes. In the margin, opposite each reference to papers, was an abbreviated word, indicating the department in which such papers had been filed. Besides this there was, during part of the period, an exact citation to the series, bundle, and number of paper within the bundle. As time went on the clerks became more careless about this and at times it was omitted altogether. Some papers referred to more than one colony and of these duplicates might be made by the clerks, and a copy filed in each of several bundles. This is not the only case of duplication. In December, 1699, a fire in the Cockpit caused some fear that the disaster of the previous year might be repeated. Fearing the destruction of the records the Board thought seriously of having them all transcribed in order to keep duplicates in a separate place, and ordered a "competent number of sacks" for carrying them away.<sup>113</sup> The only evidence of such duplication is found in certain entry books in a series called Trade Papers.<sup>114</sup> Perhaps want of funds defeated the project. In a few isolated cases the Journal, for no apparent reason, contains two copies of the same minutes.<sup>115</sup>

The Board of Trade not only accumulated papers of its own, but started life with a considerable stock-in-trade bequeathed from previous councils, commissions, and committees of like purpose. The continuous Journal for some reason begins, not with the forming of the Board in 1696, but with the appointment of the committee of Privy Council which took the place of the disestablished Council of Trade and Plantations in 1675. Before that time the records were somewhat fragmentary. In July, 1696, the books and papers of the Plantation Office which were in the hands of Povey, a clerk of the Privy Council, were, by an order of Council, turned over to William Popple, the secretary of the new Board.<sup>116</sup> Blathwayt presented further papers in 1703.<sup>117</sup> In 1707 an effort was made to

<sup>112</sup> According to the Pennsylvania transcript.

<sup>113</sup> B. T. J., XII. 302.

<sup>114</sup> On authority of Dr. C. M. Andrews.

<sup>115</sup> Thus at the beginning of volume XXIX. there are a few pages that duplicate others at the end of volume XXVIII., and cover the minutes of July 21, 22, 24, 28, 29, 30, and August 4, 5, 1719. December 18, 1735, and February 4 to April 18, 1777, are duplicated, and December 30, 1777, duplicated and enlarged.

<sup>116</sup> B. T. J., IX. 33.

<sup>117</sup> *Ibid.*, XVI. 137. Blathwayt also had been a clerk of the Privy Council but was now a member of the Board of Trade, having been named in the first commission in 1696.



purchase colonial papers that had been preserved in private hands, but this seems to have failed.<sup>118</sup>

Besides official documents, a large amount of printed and illustrative material was acquired by purchase and otherwise. A few illustrations will suffice. In March, 1697, "on suggestion that some of the public printed newspapers sometimes contain matters of fact that may be useful to be known for the service of this commission", it was ordered that one of each be taken.<sup>119</sup> In July, 1738, a copy of Rymer's *Foedera* was bought for the office.<sup>120</sup> In 1734 Henry Popple, the secretary's brother, having published a set of maps of the British Empire, a subscription was made for the Board, and one also for each governor in America.<sup>121</sup> Many maps both published and unpublished were received by gift and purchase. Indeed the collection of books and maps which graced the shelves of the Lords of Trade must have been a considerable one and one also which would be of great interest to-day. These books were not only used by the Board itself but were to a certain extent given circulation. It was common for books and maps to be lent to outsiders, a receipt being taken by the secretary<sup>122</sup> and a description of the missing article sometimes tacked up in the office.<sup>123</sup>

It does not appear that the Board followed any set rule of procedure, but in the general character of its routine and methods of business there is sufficient uniformity to admit of a fairly accurate description. After a new commission had been received internal affairs of the Board were always considered first. The commission was formally read and the new members, if in town, "took their places at the Board". If not in town at that time a new member

<sup>118</sup> In May, 1698, the Board, hearing that Mr. Henry Crisp had books of entry and papers of the Council of Trade of 1662-1663, ordered the secretary to ask him to bring them to the Board. On May 10 he answered that he had never seen any papers of the Council of Trade of 1662, but had heard that some such papers, in the hands of his father-in-law, Mr. Duke, who was secretary of that Council, were burnt in the Temple. He promised to find out about this and also to bring papers of the Royal Fishery of that time of which Duke was secretary. B. T. J., XI. 48, 53. He seems not to have come back, but in June, 1707, the Board received a letter from one Crisp, whom I take to be the same man, offering to sell books and minutes of the Council of Trade, 1660-1668. The Board refused to buy the books without seeing them and there was no result. *Ibid.*, XIX. 284, 296.

<sup>119</sup> B. T. J., X. 20.

<sup>120</sup> *Ibid.*, XLVIII. 73.

<sup>121</sup> *Ibid.*, XLIII. 161; XLIV. 174. *Cal. of Treas. Books and Papers*, 1731-1734, pp. 419, 576.

<sup>122</sup> E. g., *ibid.*, XXIII. 257.

<sup>123</sup> *Ibid.*, LXXXVIII. 29. The Board not only lent but also borrowed. In September, 1697, it was determined to ask Mr. William Bird of Lincoln's Inn for the use of his complete set of Virginia laws. *Ibid.*, X. 261.

would be formally admitted later and his admission noted in the minutes. After the reading of the minutes, rules were frequently adopted similar to those already considered in connection with the clerks, new clerks were appointed if necessary, and in fact anything might be presented and discussed which had to do with the office itself.<sup>124</sup> Whatever time was left at this session was devoted to the question of colonies or trade that happened to be most pressing. On ordinary days such matters were taken up at the outset. If a petition had been received from merchants or colonists, it was presented by the secretary and considered by the Board. In most cases the Commissioners would not feel prepared to decide on such a petition without further information. They would, therefore, set a day for the discussion and order the secretary to summon persons to be present at the hearing. The subject might be suggested orally instead of by written petition. A large number of matters that came up for discussion were introduced in this way: "the Secretary acquainted the Board" that a certain man was without and wished to be heard. He was called in to state his case, and his information, be it trivial or important, was recorded in the minutes. He was then instructed to "put what he had to offer in writing". Perhaps a day was set for the further consideration of his demands, at which time he not only brought in a written statement, but most likely brought with him several other men to corroborate his assertions. A "hearing", whether the result of a written petition or an oral request, was often a lengthy affair, and involved the testimony of various persons.

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If a letter was received from a colonial governor,<sup>125</sup> together with the voluminous enclosures which always accompanied such letters, this too was presented by the secretary and read. The enclosed papers also might be read through, which in some cases must have been a heroic proceeding. In any case they were disposed of in the proper bundles, and usually a list of titles or descriptions preserved in the minutes. If the papers included copies of laws—and nearly every packet did include some—these were dispatched to the attorney-general or solicitor-general or, after 1718, to the Board's special

<sup>124</sup> Even the most trivial matters were brought to the attention of the Board. Thus at one time the "necessary woman" presented a bill of £10 for "mops and brooms" which the Board considered too high. B. T. J., XI. 393.

<sup>125</sup> Such letters, as well as petitions and other papers, might as a rule either be sent directly to the Board by post, or be sent first to the Privy Council or Secretary of State, and transmitted to the Board for consideration. The procedure within the Board itself, *i. e.*, the presentation by the secretary, etc., was the same in either case.

counsellor, to be reported upon from a legal point of view.<sup>126</sup> In the later years when laws came in great numbers the counsel-at-law frequently attended the Board, and a whole session—or more than one—was given to a single set of acts, each being carefully read and passed upon.<sup>127</sup> In either case, when the legal report was made, which was sometimes done promptly and at other times after a very long delay,<sup>128</sup> the Board prepared a representation to the King in Council incorporating the legal advice, and sent it with the laws themselves for the final action of the king. After consideration in the Council, which usually<sup>129</sup> resulted in confirming the Board's judgment, the laws were returned to the Board with an Order in Council approving or disallowing them as the case might be. This decision was reported to the colonial assembly by the Board of Trade.

When a new governor was appointed for a colony directly under the crown, his commission and instructions were prepared by the Board and approved by the king. In the case of a proprietary governor, the commission was issued by the proprietor, but the instructions were prepared by the Board and imposed through the proprietor on his appointee.

Whatever the business in hand every document<sup>130</sup> went through three stages. First, the subject was considered and the substance

<sup>126</sup> Legal advisers were not the only ones consulted. Questions were frequently submitted to the Lords of the Treasury, Lords of the Admiralty, Navy Board, Board of Ordnance, Commissioners of Customs, and other parts of the government on matters pertaining to these respective offices. Messages were constantly being sent back and forth. Indeed the administration was a perfect network of separate but related authorities.

<sup>127</sup> For an illustration of this see B. T. J., XLV. 94. Comments were written after each law—"no objection", "to lie over", etc.

<sup>128</sup> Thus on June 22, 1699, the secretary reported that the clerk of the solicitor-general had brought to the Board certain acts of Massachusetts, passed before the establishment of this office, with no report on them. They were ordered sent back to the solicitor for his opinion. B. T. J., XI. 102. The Board also was sometimes responsible for delays. On November 29, 1728, they discussed a New Jersey act for a partition line, etc., and "considering that it had lain by above nine years in this office and no objection had been offered" they ordered a representation for confirming the act. B. T. J., XXXVIII. 265.

<sup>129</sup> Of course the Board's decisions might be reversed or modified, or a law or report might be returned for reconsideration. I believe, however, that if the total number of laws considered could be brought together, it would be found that in a large majority of cases the Board's decision was affirmed.

<sup>130</sup> At first there seems to be a distinction between a report and a representation. The latter was the more formal paper addressed to the King in Council, while a report was less formal and was addressed to the Committee of Council. As time went on and the committee came to act in place of the Council, the two words were used more or less interchangeably. Thus on June 29, 1731, the Board signed what in the text is called a representation, but in the margin, a report. B. T. J., XLI. 169. Communications to the Secretary of State were usually called letters.

of the letter or report agreed upon—a process which was sometimes adjourned from day to day and occupied the greater part of several sessions. At last the Board ordered the letter, outlining to the secretary the points which it was to involve. The actual composition fell to the secretary who presented a first draught to the Commissioners for inspection. If satisfactory it was “approved and ordered to be transcribed”. It was then delivered to a clerk to be put into final form, and having been “transcribed fair” was presented to the Board again for signature. Two classes of papers constituted exceptions to this rule: many of the less important letters having been ordered and approved by the Board, were signed by the secretary<sup>131</sup> and sent off without waiting for another meeting; and commissions and instructions for colonial officers, having been transcribed, were sent to the king for his signature.<sup>132</sup> In many cases a number of days might elapse between the stages of this process, while if there was need of haste they might all be performed in one day.<sup>133</sup>

Many questions of dispute were argued pro and con, before the Board; and on such occasions both parties attended with “Counsel learned in the law”. The hearing which ensued sometimes lasted for days and had the semblance of a trial, with testimony and legal battles over technicalities which would do credit to a modern court.<sup>134</sup> In cases of appeal the Board itself had no jurisdiction. When once a decision had been rendered in the colonies, there was no appeal except to the king. The Board however could give such a case a preliminary hearing when asked to do so by a reference from the King in Council.<sup>135</sup>

<sup>131</sup> Or the deputy secretary might sign letters in rare cases. See a letter from Samuel Gellibrand, deputy secretary, to John Hamilton, August 23, 1743. *N. J. Archives*, VI. 153.

<sup>132</sup> The Board might prepare other papers for the king's signature. Thus in March, 1700, the Board was ordered by the Council to prepare the draught of an Order of Council, whereby the king could approve an agreement between New York and Connecticut over the boundary. *B. T. J.*, XII. 410.

<sup>133</sup> This preparing of reports was not the only duty that occupied the clerks in their outer room. Many papers from the colonies were copied and duplicates sent to the Secretary of State, Lords of the Treasury, Commissioners of Customs, and others. Then, too, when a petition was being heard before the Privy Council, the petitioner would frequently ask the Board for copies of papers in its possession bearing on his case, and the request was often granted. It was in such cases as this that the clerks were entitled to fees for extra work.

<sup>134</sup> On February 9, 1720, the solicitor-general gave an opinion that the Board had power to administer the oath to witnesses. *B. T. J.*, XXX. 80–83. It might be noted also, that the Board seems to have had a seal. On June 9, 1720, this was considered. His Majesty's engraver had presented a plan, and this had been sent to Sunderland, then first Lord of the Treasury, who “thought it very proper”, and then to the king who ordered it engraved. *Ibid.*, p. 191.

<sup>135</sup> *B. T. J.*, XXXII. 167.



The Board's methods might involve a division of labor. Thus in 1697, considering that it was impossible for all the "voluminous papers sent from the Plantations" to be read at the meetings, it was decided to divide up the field. Philip Meadows was to give special attention to Virginia and Maryland; William Blathwayt, and in his absence, John Locke, was to look after Jamaica, Barbados, and the Leeward Islands; to Abraham Hill fell New England, New York, and Newfoundland; while John Pollexfen was expected to care for the Proprieties, the charter colonies, and trade in general.<sup>136</sup> All papers relating to these subjects were to be read by the persons to whom they were assigned and the important parts extracted for consideration by the Board. This was simply a refinement of the process of extraction, since that was one duty that the Board performed for the Privy Council. The plan, however, was short-lived. Another method sometimes resorted to was that of having each member draw up an independent report on some subject, and compiling a representation from a comparison of these separate plans. This was done in 1697 in connection with the English and Irish trade, and John Locke's scheme being "pitched upon" was considered in detail.<sup>137</sup>

Though the work of the Board was, as a rule, performed by the seven or eight members appointed by name, these never forgot that an equal number of high state officers belonged in theory to their institution. When a new Secretary of State was appointed, or a Chancellor of the Exchequer, or any other officer included in the Board's list, a letter was at once dispatched to inform him that he was "a member of this Commission".<sup>138</sup> When a matter of special importance was to be dealt with the ex-officio members were summoned by letter.<sup>139</sup> They seldom stayed to the end of the meeting. If Secretary Vernon, for instance, and several others came down to the Board, as soon as the important subject was disposed of they withdrew, whereupon the Board ordered a letter to Secretary Vernon, informing him, as Secretary of State, of what had been done at the Board of Trade. These meetings of "extraordinary Board" were usually held at night. Moreover the Commissioners of Trade might be summoned to a joint meeting with the Privy Council or

<sup>136</sup> The Earls of Bridgewater and Tankerville seem to have escaped this by their titles. John Methuen, the eighth member, was in Portugal and did not return while his name was included in the Commission of Trade. He never took his place at the Board. B. T. J., IX. 348. *Hist. MSS. Comm., Portland*, III. 576.

<sup>137</sup> B. T. J., X. 207, 214.

<sup>138</sup> E. g., *ibid.*, XIII. 288.

<sup>139</sup> *Ibid.*, X. 424; XXIV. 16.



with a committee of Council.<sup>140</sup> At the close of such a conference, they adjourned to their own room and continued the session alone, perhaps to put into effect the decisions of the joint meeting, but always to take some account of them in their minutes. On the other hand the conference might take place at the Plantation Office. At one time a meeting of "Cabinet Council"<sup>141</sup> was held at the Board, and again word was received that the Committee of Council had "appointed a meeting at this Board tomorrow".<sup>142</sup>

Under peculiar conditions the Board might devote its sessions to a special purpose. Thus after the treaty of Utrecht many days were given up wholly or in part to the examining of debentures and delivering them to claimants of land in Nevis and St. Christopher. As many as fifty debentures were sometimes delivered in one day, and this must have brought a constant stream of ill-assorted visitors. In 1749-1750, when the settlement of Halifax was being arranged for, the Board of Trade appeared at times more like a business office than a department of government.<sup>143</sup> Chauncey Townshend, a merchant who took the contract to furnish provisions, was in almost constant attendance. To the Board came men who wanted to furnish clothing, medicines, ploughs, and other commodities for the settlers. It was the Board that appointed physicians and surgeons, ministers and schoolmasters, the man authorized to erect saw-mills, and so on, through the almost endless detail. Here arrangements were made for transportation and the proper ventilation of ships. Here, too, came every settler that wished to sail, giving an account of his circumstances and the size of his family, and receiving from the clerk of reports a certificate admitting him on ship-board. It must have been a motley crowd indeed, which in those days thronged the Cockpit, in answer to the Board's advertisement of advantages published in the *London Gazette*.

Through its supervision over trade the Board came into close touch with the seafaring man from everywhere: the merchant from India, Africa, Muscovy or the Levant, the Newfoundland fisherman, the West Indian slave-trader, the dealer in Canary wines or Irish linen or American staves, all came to the Board to tell their stories. Not only did the Lords of Trade solicit information from the merchants, but the merchants solicited attention from them. If a man

<sup>140</sup> *E. g.*, *ibid.*, XIV. 446; XV. 104; XVII. 8; XXXIX. 263; XLI. 287; LIX. 74, etc. On July 1, 1702, the Board received a letter from Mr. War, with the queen's will that the Board attend her at committee at St. James, to-morrow at 11. *Ibid.*, XV. 115.

<sup>141</sup> B. T. J., XI. 68.

<sup>142</sup> *Ibid.*, XXII. 417.

<sup>143</sup> *Ibid.*, LVII, LVIII, *passim*.

wanted a patent for an invention, or protection for an industry, he had to produce some proof that he was able to make use of it. To the Board of Trade came not only his testimonials—and they came in great numbers—but also his demonstrations. For example, in August, 1696, during a discussion of the linen trade, Mr. Furmin displayed the model of a spinning-wheel of his own invention which could be manipulated “by a girl of ten”.<sup>144</sup> Various were the bundles of merchandise that found their way into the Colonial Office. A box of clothing, sent to New York for the soldiers during Lord Cornbury’s administration, and returned as unfit for use, was brought to the Board and publicly opened.<sup>145</sup> Samples of wool were now and then received, and specimens of copper. Thomas Lowndes was fond of sending certificates of the goodness of his salt,<sup>146</sup> accompanied by boxes of it by way of illustration.<sup>147</sup> John Plowman, who asked for a patent for curing sturgeon in 1720, produced a box of fish at the Board to show the merit of his method.<sup>148</sup>

Not only were boxes of merchandise sent to the Board, but the living curiosities that came to town were looked upon as belonging to its province. Thus in 1697 when five Mohawk Indians were brought to Plymouth among French prisoners, the Board was closely concerned in their care. Two of them made a visit to London for the purpose of sight-seeing and these were presented to the Board of Trade.<sup>149</sup> In 1730 an African trader, Bulfinch Lamb, and his black interpreter, Captain Tom, attended the Board and presented a letter from the Emperor of Dahomey.<sup>150</sup>

Perhaps the most picturesque scene that ever took place in the council chamber of the Board of Trade was the consummation of a

<sup>144</sup> B. T. J., IX. 51.

<sup>145</sup> *Ibid.*, XVI. 131.

<sup>146</sup> *E. g.*, *ibid.*, LIII. 118.

<sup>147</sup> *Ibid.*, LI., pt. 2, p. 46. Thomas Lowndes is a curious illustration of the sort of peculiar personality with which the Board had at times to deal. He was constantly appearing with a proposal, a request, or a complaint. In 1734 he objected to a land-grant in South Carolina, claiming that he had a conflicting grant. He emphasized this claim by making personal charges against Popple in a stilted paper called “Thomas Lowndes’ protest against the Lords Com<sup>rs</sup> declared Prepossession in favor of their Secretary”. It is amusing to note the seriousness with which the Board considered this paper and resolved “to have no further correspondence with the said Lowndes”. A few months later he wrote again at length, asserting that Popple had helped to cheat him out of £60. He said that if he did not abhor “dis-serving his country” he could show a “neighboring nation how to deprive Great Britain of a valuable branch of trade without infringing any treaty”. This epistle was honored with a set of five resolutions by the Board. *Ibid.*, XLIV., *passim*.

<sup>148</sup> B. T. Plant. Gen., L. 5.

<sup>149</sup> B. T. J., X. 66.

<sup>150</sup> *Ibid.*, XLI. 117. *Cal. of Treas. Books and Papers*, 1731-1734, p. 88.

treaty with seven chiefs of the Cherokee Nation in September, 1730.<sup>151</sup> On the seventh, the chiefs and their interpreter attended, together with Colonel Johnson, the agent for Indian affairs, and Sir William Keith, governor of South Carolina. The members of the Board present that day were Thomas Pelham, Martin Bladen, and James Brudenell. They had taken care to have Sir William Keith prepare beforehand the form of a treaty with its imagery and phraseology modelled after Indian ideals. They had also asked for and obtained from the War Office the attendance of two sergeants and twelve grenadiers. When all were assembled one member of the Board, by means of an interpreter, read to the Indians the treaty, which was in part as follows:

Now the great King of Great Britain bearing love in his heart to the powerful and great nation of the Cherokee Indians, his good friends and allies, His Majesty has empowered us to treat with you here, as if the whole nation of the Cherokees, their old men, young men, wives and children, were all present. And you are to understand the words we speak as the words of the great king, our master, whom you have seen, and we shall understand the words you speak to us as the words of all your people with open and true hearts to the great king. . . . He takes it kindly that the great nation of the Cherokees sent you hither a great way to brighten the chain of friendship between him and them and between your people and his people; that the chain of friendship between him and the Cherokee Indians is like the sun which shines here and also upon the great mountains where they live and equally warms the heart of the Indians and of the English. That as there are no spots or Blackness on the sun so is there not any Rust or Foulness in this chain and as the great King has fastened one end of it to his own breast he desires you will carry the other end of the chain and fasten it well to the breasts of your nation. . . . And here upon we give four pieces of white cloth to be dyed blue.

The next article regulated trade between the Indians and the people of Carolina. The following articles stipulated, among other things, that the Indians were to keep peace with the English and make war on their enemies, that they were to refuse to trade with any other nation and were to return fugitive slaves. At the end of each article presents were given, including large quantities of ammunition and "six dozen hatchets, twelve dozen spring-knives, four dozen brass kettles and ten dozen belts". Samples of all these articles were stowed away somewhere in the office and were shown to the Indians at the close of the interview. They expressed their approval and promised to give an answer in two days.

The second conference, on the ninth, must have been as imposing as the first. The soldiers attended as before. The Commissioners of Trade, who, this time were Bladen, Brudenell, and Paul Docinique, found themselves addressed as follows:

<sup>151</sup> B. T. J., XL. 226-237.

We are come hither from a dark, mountainous place, where nothing but darkness is to be found, but are now in a place where there is light. . . . We look upon you as if the great King George was present, and we love you as representing the great King, and shall die in the same way of thinking. . . . We look upon the great King George as the Sun and as our Father and upon ourselves as his Children, for though we are red and you white, yet our hands and hearts are joined together. Having finished this speech the spokesman of the Cherokees walked to the table, and, laying down upon it a bunch of feathers as a symbol of his good-will said:

This is our way of talking, which is the same to us as your letters in the Book are to you; and to you, Beloved Men, we deliver these feathers in token of all we have said and of our agreement to your article.

This incident not only adds a touch of color to the picture, but also illustrates fairly well one phase of the Board's position. A treaty of peace with the Cherokee Nation might vitally affect the happiness and welfare of the colony of Carolina, and was therefore by no means beneath the dignity of the government. But the Privy Council could hardly be expected to exchange scalping-knives for feathers or pronounce a speech like the one above, in Indian terms. Such a duty must be delegated to a subordinate authority, and that authority was the Board of Trade. Indeed the treaty-making power of the Board is here displayed at a low ebb, for it had a part in negotiations of much greater importance. The point to be noted here is that the Board of Trade stood between the King in Council on the one hand, and the outlying portions of the empire on the other. As a result of this position it could, and did many times, give advice and submit policies, but at all times it furnished information. That such information was needed there can be no doubt. In those days reliable knowledge of remote corners of the earth was not easily accessible as it is to-day. Travel was slow. Modern methods of communication were not invented and printed material was expensive and scarce. There was considerable ignorance, even in government circles, about the British possessions. For example, the Commissioners of Customs asked the Board at one time if Campeche was an English plantation<sup>152</sup> and at another time if Annamabore was a "colony, territory or place belonging to His Majesty".<sup>153</sup> Such questions the Board was expected to answer.

By close connection with colonists and merchants the Board kept its finger, so to speak, on the colonial and commercial pulse, and helped to diagnose disorders for treatment by a higher power. That

<sup>152</sup> B. T. J., XXXVIII. 37.

<sup>153</sup> *Ibid.*, LXXXIII. 47.



the touch was always acute or the diagnosis always correct, no one can claim. That the contact was of much value can hardly be denied. Dropping the figure, the Board of Trade and Plantations was the one place at which all elements of the ever-growing British Empire could come together on common ground. Here came the British merchant from any corner of the globe to describe his trade or display his wares. Here came the wealthy proprietor to defend his boundaries or the lowliest colonist to settle his dispute; the Indian chief to make peace, or the foreign settler to arrange for his emigration. To this same place all papers regarding the colonies were likely in the end to find their way—books, maps, descriptions, primitive newspapers, pamphlets, anonymous letters, anything that could add a touch to the Englishman's knowledge of the New World across the sea. Here too could come or send, the Commissioners of Customs or of the Treasury, the Navy Board, or Lords of the Admiralty, to gather such information as the Board had been able to collect. Surely nothing could be more useful in theory than just such an information bureau as the Board of Trade. But it is difficult to look constantly at such masses of minute detail and still see things in the large. The Board had the power of a subcommittee coupled with the outward form of a Council of State; perhaps it is not surprising that while the colonies were growing into prominence and colonial questions were becoming acute, it was losing its grasp and was settling down into a more and more formal and expensive institution.

MARY PATTERSON CLARKE.



## PRINCE HENRY OF PRUSSIA AND THE REGENCY OF THE UNITED STATES, 1786<sup>1</sup>

WITH the name of General von Steuben, whose monument was unveiled with great ceremony in Washington in December, 1910, is connected the memory of a little-known episode in the constitutional history of the United States. Steuben's biographer, the German-American historian, Friedrich Kapp, makes the following statement regarding it:<sup>2</sup>

When, before the adoption of the present Constitution, in a circle of his friends, the question of the form of the government was discussed and it was not yet decided whether the President was to be vested only with the authority of the highest civil officer or with the more princely privileges of the Dutch stadtholder, one of the party, addressing himself to Steuben, asked whether Prince Henry of Prussia would be willing to accept an invitation, and whether he would make a good President. Steuben answered, "As far as I know the prince he would never think of crossing the ocean to be your master. I wrote to him a good while ago what kind of fellows you are; he would not have the patience to stay three days among you."

This story of Kapp's is based upon oral communication from a certain John W. Mulligan, who, from 1790 until the death of Steuben in 1794, had been the latter's confidential secretary and companion. At the time of the appearance of Kapp's book he counted more than eighty years, but he is described by that author explicitly as an old man of remarkable freshness and as a trustworthy witness.

It is well known that throughout many years a friendly relationship existed between Prince Henry, the brother of Frederick the Great, and Steuben. The latter had served in the Seven Years' War under the prince, had fought at Prague and Rossbach, and had taken part in the campaigns of 1759 and 1760 in the army of Henry, upon whose recommendation, after the close of the war, he had become *Hofmarschall* to the Prince of Hohenzollern-Hechingen. The prince, it is true, had had no part in the decision of Steuben to go to America and offer his services to the colonies fighting for their independence. There occurred, indeed, a long pause in their mutual

<sup>1</sup> Article sent to the REVIEW by Dr. Richard Krauel, honorary professor in the University of Berlin, author of several books relating to Prince Henry of Prussia.

<sup>2</sup> Kapp, *Life of Steuben* (New York, 1859), p. 584; German edition, *Leben des Amerikanischen Generals F. W. von Steuben* (Berlin, 1858).

relations; it was not till 1785, two years after the Peace of Paris between Great Britain and the United States, that General Steuben again addressed a letter to Prince Henry. In this, invoking their earlier acquaintance, he recommended to him an American, "le Sieur Littlepage", who was journeying to Prussia.<sup>3</sup> Nothing is known regarding any continuation of the correspondence. Kapp, who went through the sixteen volumes of the Steuben papers preserved by the New York Historical Society, prints only a short and formal answer of the prince to that first letter of the general. No traces are preserved of a political correspondence concerning men and affairs in America, such as one might assume from the statement of Steuben transmitted by Mulligan.

On the other hand, in the remains of Steuben, who, after the end of the War of Independence, lived for a considerable time in New York and participated ardently in the politics of the day, various memoranda are to be found concerning the rights and prerogatives of the president in a republic, as also an historical survey of the duties of the head of the state in ancient and modern times. During that critical period of American history, when on account of the inadequacy of the Articles of Confederation the creation of a better constitution, with a strong and unified executive power, actively occupied men's minds, we may easily imagine that in the political discussions between Steuben and his friends, among whom men like Alexander Hamilton were numbered, such questions were frequently treated. It appears therefore quite possible that, on some such occasion, some one or other threw out casually the suggestion of choosing Prince Henry of Prussia for the highest position in a new federal government, and that Steuben thereupon gave the jocosé answer mentioned.

On this presumption we should be dealing with an anecdote, which to be sure is characteristic of conditions and opinions in the United States at that time, but which could acquire historical significance only if it were proved that, earlier or later, actual steps were undertaken to summon Prince Henry to the head of the American government. While all evidence for this has been lacking up to a recent date, and one was entirely warranted in relegating to the realm of legend any such proposal—even as a passing incident—documents have now been published which compel us to pay greater attention to the Steuben narrative.

<sup>3</sup>In this letter, published by Kapp, p. 695, Steuben says: "I flatter myself that my military services in this hemisphere have made me not unworthy to claim the glory of having completed my apprenticeship under a prince who is admired not less in America than in the other parts of the world."

In the sixth volume of the *Life and Correspondence of Rufus King* it is stated that, in a letter to General Jackson, President Monroe expressed the opinion that various persons among the Federalists in the time of Washington had been adherents of monarchy. In connection with this we find printed the following memorandum of King:<sup>4</sup>

10<sup>th</sup> May 1824. Col. Miller this evening said to me, speaking of Mr. Pr[esident] Monroe, that he had told him that Mr. Gorham, formerly President of Congress, had written a letter to Prince Henry, brother of the great Frederic, desiring him to come to the U. S. to be their king, and that the Prince had declined by informing Mr. Gorham that the Americans had shown so much determination agt. their old King, that they wd. not readily submit to a new one; Mr. Monroe adding that Genl. Armstrong had given him this information and that the papers or correspondence was in the hands of General Hull.

We learn further that in the year 1825, in the course of a debate in the Senate, a hint was dropped that Rufus King had known about the plan to establish a monarchical form of government in the United States under Prince Henry, and that the attempt was made to exploit this charge in the interest of party politics, in order to prevent the appointment of King as minister to London. The matter seemed sufficiently important to prompt President John Quincy Adams as well as the Secretary of State, Henry Clay, to further inquiries, from which, however, no evidence whatsoever was produced of any participation of King in the "Prussian scheme". In a letter to Charles King, the son of Rufus, the President expressed the expectation "that henceforth Prince Henry of Prussia will be suffered to sleep in peace", and Clay conjectured that in the whole affair there was perhaps a confusion with a plan, which came to the surface during the Revolutionary War, in the years 1777 and 1778, to offer to Prince Henry the supreme command over the American troops.<sup>5</sup>

Yet the assertion remained unrefuted that the noted politician, Nathaniel Gorham, who as delegate of the state of Massachusetts together with Rufus King signed the Constitution of the United States, had in the year 1786, when he was president of the Continental Congress, written a letter to Prince Henry with the contents mentioned above. While according to the statement of Steuben

<sup>4</sup> King, VI. 643. See also *Writings of James Monroe*, V. 343 (letter to Jackson).

<sup>5</sup> *Memoirs of John Quincy Adams*, VII. 55-56, 63-64; King, VI. 644, 647. According to modern investigations, no such plan ever existed. It was rather the Count de Broglie who was thought of for the position of commander-in-chief. For particulars concerning this, see Wharton, *Revolutionary Diplomatic Correspondence*, I. 391-396.

reported by Kapp, the candidacy of the Prussian prince was suggested only orally, and was put aside with a jest, one would now be driven to the conclusion that a written offer of a royal crown was made, and was declined by Henry. In view of the many considerations which militate against such an assumption, the historian was naturally inclined to hold his judgment in suspense, and wait to see whether the alleged correspondence between Gorham and the prince would be forthcoming.

Into the darkness which has accordingly been lying over this incident, a surprising light has now been shed through a discovery recently made in Germany. In the archives of the royal Prussian house (Hausarchiv) in Charlottenburg, where a part of the literary remains of Prince Henry is preserved, there has been found the autograph draft of a letter addressed by the prince to General Steuben, which refers to a proposed change in the constitution of the United States.

The text of this document, composed like all the letters of Henry in the French language, is here published for the first time.\*

Monsieur de Stuben, général au service des États-Unis de l'Amérique. En Amérique au Hanôvre à 5 milles de New-York.

*Monsieur*

Votre lettre du 2 du mois 9<sup>bre</sup> m'est parvenue. Je l'ai reçue avec tout le sentiment de la reconnaissance mêlée de surprise. Vos bonnes intentions sont bien dignes de mon estime, elles me paraissent l'effet d'un zèle que je voudrais reconnaître, tandis que ma surprise est une suite des nouvelles que j'apprends par la lettre d'un de vos amis. J'avoue que je ne saurais croire qu'on pût se résoudre à changer les principes du gouvernement qu'on a établi dans les États-Unis de l'Amérique, mais si la nation entière se trouverait d'accord pour en établir d'autres, et choisirait pour son modèle la constitution d'Angleterre, d'après mon jugement je dois avouer que c'est de toutes les constitutions celle qui me paraît la plus parfaite. On a l'avantage que si, comme dans tous les établissements humains, il se trouve quelque chose de défectueux, qu'on pourrait le corriger et faire de si bonnes lois pour que la balance fût mieux établie entre le souverain et les sujets, sans que ni l'un ni les autres ne pussent jamais empiéter sur les droits alloués respectivement à chacun. Il ne m'est pas possible de vous envoyer un chiffre, vous comprenez qu'il courrait les hasards des lettres et se trouverait entre les mains de ceux qui s'en saisiraient les premiers. Je vais cet automne en France, peut-être y trouverais-je un de vos amis. Les Français sont jusqu'à cette heure les vrais alliés des États-Unis de l'Amérique. Il me paraît que rien de grand pourra solidement se faire chez vous, à moins d'y faire concourir cet allié. Cela suffit, Monsieur, pour vous

\* Prince Henry had the habit of Gallicizing the names of his friends, as did Frederick the Great, who, for example, used always to write the name of his great opponent Prince *Conis*, instead of Kaunitz. The somewhat strange French orthography of the Prince has in the letter which follows been altered into accord with the mode of spelling now customary.



faire comprendre que c'est par ce canal que je pouvais recevoir à l'avenir les lettres que vous voudrez m'adresser.

En vous assurant que je désire ardemment de vous donner des preuves de l'estime avec laquelle je suis, Monsieur, votre très affectonné ami.

The writing is undated. A basis for establishing the date of its composition is offered, however, by the remark concerning an intended journey of the prince to France in the autumn. He was twice in France: the first time from August till November, 1784, the second in the winter of 1788-1789. The first journey certainly cannot be meant, because, as we know from Kapp's book, Steuben did not renew his correspondence with the prince until May, 1785. To date the letter in the year 1788 is likewise inadmissible, because the new constitution of the United States had already been determined in 1787. These difficulties are however removed by the fact that Henry, as is known from other information, had intended to make his second visit to France early in the autumn of 1787, but was afterward obliged, through various considerations, to postpone his departure for a year. Accordingly his answer to Steuben's letter must have been written in the first months of 1787. The date may be still more exactly determined, for the paper used bears a mourning border, which points to a bereavement in the royal family. In fact, a sister of Henry, the Princess Amalie of Prussia, had died on March 30, 1787, and as in such cases at that time the usual official period of mourning at the Prussian court lasted fourteen days, the first half of April, 1787, can with tolerable certainty be assumed for the composition of the document before us. For the letter of the second of November mentioned therein, which unfortunately has not yet been found, the year 1786 consequently presents itself—that is, the time when in the United States the call was resounding from all quarters for a new constitution in order to bring to an end the condition of public affairs (almost anarchic, according to a statement of Washington), which had set in after the War of Independence.

As to the contents of the prince's letter, we must first observe that the author, having in mind the possibility that it might fall into strange hands and be read by unbidden eyes, intentionally confines himself to indefinite and general phrases, without indicating clearly the actual pith of the affair concerning which his opinion was desired. Steuben had joined to his letter a writing by one of his American friends and it was the information contained in this document which, as the prince says, astonished him. It is plain from the remarks which follow, that this information must have related to a proposed

fundamental change in the constitution of the United States, in the accomplishment of which the prince will believe only if the whole nation is united in regard to it. The encomium here bestowed on the English constitution, as the most perfect among all, was usual with Prince Henry; he shows himself in this to have been, like many of his contemporaries, influenced by Montesquieu's *Esprit des Lois*, in which the English parliamentary government, with a monarch at its apex, is represented as the ideal.

But what could impel Steuben and his friends to such a communication with a Prussian prince regarding the internal political affairs of the United States? There must surely have been reasons of a wholly confidential and personal nature, especially as the prince was asked to send over a cipher for the continuation of the correspondence. With what secret have we to do?

The conjecture lies near at hand, that the writing of his American friend transmitted by Steuben is identical with the writing of Nathaniel Gorham of the year 1786, wherein the latter, according to the memorandum of Rufus King, is said to have invited the prince to come to the United States as king, if the American people should decide to give themselves a constitution according to the English pattern. The carefully guarded expressions of the prince contain indeed no indication of the offer of a royal crown, nor do they coincide with the declaration of King, according to which the prince is said to have declined the offer on the ground that the Americans would hardly subject themselves to a new king after they had set themselves against their former monarch with so much determination. An indication of such a thought might perhaps be found in the remark of the prince that he could not believe the American nation would be found ready for a change of their present, *viz.*, republican, principles of government. Much significance also attaches to the advice contained in Henry's letter, that in any reorganization of American constitutional relations, regard should be had to the French, the faithful allies of the United States, without whose co-operation nothing great and permanent could be created there. If one is to venture at all upon the uncertain ground of an interpretation of this political oracle, he may conjecture that Henry was recommending, in the case of a monarchical restoration in the United States, the choice of a French candidate for the throne or at least of one agreeable to France, in order to ensure thereby the continuance of the Franco-American alliance. However fantastical such a combination may seem to us to-day, yet we must not overlook the fact that the American statesmen of that time had

constantly before their eyes the danger of new military complications with European powers, and that this reason was of great weight for the ultimate creation of a unified federal authority with comprehensive military and political powers.

Whatever the opinion may have been which Prince Henry wished to express in his reply to Steuben, and however the proposals may have read which came from Gorham or from those of like opinion with him, we must assume as certain that the correspondence lying before us was not continued. Even before the letter of the prince could have arrived in America, which under the conditions of intercourse at that time must have been nine or ten weeks after its dispatch, the Convention which was to determine the future constitution of the United States had on May 25, 1787, assembled in Philadelphia. No voice among its members was raised in favor of a monarchy. Alexander Hamilton indeed declared there that he looked upon the English constitution, in spite of all the corruption in the individual branches of the administration, as the most perfect pattern of government ever devised by human reason; but he immediately added that the mind of the American people was so thoroughly republican that the idea of introducing monarchy would be an idle dream—words which correspond exactly with the judgment of the Prussian prince in his correspondence with Steuben. It is well known that later, when the Convention had already decided for the title “President”, Hamilton made a further attempt to procure a princely status for the first officer of the republic, by proposing to appoint him for life, “subject to removal by impeachment”, whereby the presidency would, except for the exclusion of the hereditary principle, approximate to the office of stadtholder as maintained in the Republic of the United Netherlands. The proposition was rejected as undemocratic; we might perhaps designate it as the last echo of a state of mind in which intelligent and patriotic statesmen, in order to rescue the young American commonwealth from a complete collapse, devised the expedient of a return to monarchical institutions.

A fugitive trace of the idea, thus born in the stress of the moment, we recognize in the letter of Prince Henry which lies before us. While one might have attributed to the story told by Steuben merely the value of an anecdote without historical significance, and while the more definite statement of Rufus King encountered many doubts and left open the possibility of a misunderstanding or of the formation of a later legend, we have now the first unquestionable evidence that the supporters of a fundamental change in the constitution of the United States actually entered into correspondence

with Prince Henry. Steuben, as an acquaintance of the prince, played the part of go-between; perhaps it was he who turned the attention of his American friends, in their search for a suitable ruler for the United States, to this brother of Frederick the Great. In any case, Steuben knew more about the affair than he later saw fit to communicate to his secretary Mulligan. That the American writer of the letter which so astonished the prince was Nathaniel Gorham and that Gorham acted in a common understanding with his political party associates, can scarcely be doubted longer. The evidence furnished by Rufus King is supported by the discovery made in the Charlottenburg archives, although the latter does not quite afford a strict proof in the legal sense. In order to have full light thrown over this at least interesting episode in the early history of the constitution of the United States, it would be very gratifying if the text of Gorham's letter to Prince Henry, which, according to King's statement in 1824, was in the possession of General Hull in Massachusetts, could be rediscovered and made public.

RICHARD KRAUEL.



## THE DRED SCOTT DECISION, IN THE LIGHT OF CONTEMPORARY LEGAL DOCTRINES<sup>1</sup>

HAVING had occasion recently to renew my acquaintance with the case of *Scott v. Sandford*,<sup>2</sup> I have become persuaded that the usual historical verdict with reference to it needs revision in three important particulars: first, as to the legal value of the pronouncement in that case of unconstitutionality with reference to the Missouri Compromise; secondly, as to the basis of that pronouncement; thirdly, as to the nature of the issue between Chief Justice Taney and Justice Curtis upon the question of citizenship that was raised by Dred Scott's attempt to sue in the federal courts.<sup>3</sup>

The main facts leading up to and attending this famous litigation may be summarized as follows:<sup>4</sup> Dred Scott, a slave belonging to an army officer named Emerson, was taken by his master from the home state, Missouri, first into the free state of Illinois and thence into that portion of the national territory from which, by the eighth section of the Missouri Compromise, slavery was "forever" excluded. Here master and slave remained two years before returning to Missouri, the latter in the meantime having married with his master's consent. In 1852 Dred sued his master for freedom in one of the lower state courts and won the action, but upon appeal the decision was reversed by the supreme court of the state, upon the ground that Dred's status at home was fixed by state law regardless of what it was abroad—a decision which plainly ran counter to the whole trend of decision by the same court for the previous generation. Thereupon the case was remanded to the inferior court for retrial but Dred, having in the meantime upon the death of Emerson passed by bequest to Sandford, a citizen of New York, now decided to bring a totally new action in the United States circuit court for the Missouri district, under section 11 of the Act of 1789. In order to bring this action Dred had of course to aver his citizenship of Missouri, which averment was traversed by his adversary in what is known as a plea in abatement, which denied the jurisdiction of

<sup>1</sup> In substance this paper was read before the American Historical Association at its last annual meeting, December 29, 1910.

<sup>2</sup> 19 Howard 393-633 (cited below as "Rep").

<sup>3</sup> See James Ford Rhodes, *History of the United States*, II, 251 *et seq.*; James Schouler, *History of the United States*, V, 377 *et seq.*; Nicolay and Hay, *Abraham Lincoln*, II., ch. 4; Theodore Clarke Smith, *Parties and Slavery*, ch. 14.

<sup>4</sup> The agreed statement of facts is to be found, Rep. 397-399.

the court upon the ground that Dred was the descendant of African slaves and was born in slavery. The plea in abatement the circuit court overruled, but then proceeded to find the law on the merits of the case for the defendant Sandford; and from this decision Dred appealed to the United States Supreme Court.

Scott *v.* Sandford was first argued before the Supreme Court in the December term of 1855. From a letter of Justice Curtis we learn that in the view the court took of the case, it would find it unnecessary to canvass the question of the constitutionality of the Missouri Compromise.<sup>5</sup> And indeed it was evidently of a mind to evade even the question of jurisdiction, as raised by the plea in abatement, had it not been for the fact, as it presently transpired, that Justice McLean, a candidate for the Republican presidential nomination, had determined to make political capital of the controversy by writing a dissenting opinion, reviewing at length the history of African slavery in the United States from the Free Soil point of view. McLean's intention naturally produced some uneasiness among his brethren and particularly such as came from slave states, three of whom now began demanding reargument of the questions raised in connection with the plea in abatement.<sup>6</sup> This demand being acceded to, the case came on for reargument in the December term of 1856, that is, after the presidential election was over. Yet even now it was originally the purpose of the court to confine its attention to the question of law raised by the circuit court's decision, which rested upon the same ground as the state supreme court's earlier decision, and Justice Nelson was commissioned to write an opinion sustaining the circuit court.<sup>7</sup> Since the defeat of Fremont, however, and Buchanan's election, the advantage of position lay all with the pro-slavery membership of the court. Some of the latter contingent, therefore, but chiefly Justice Wayne of Georgia, who had on another occasion displayed a rather naïve view of the judicial function, now began bringing forward the notion that, as expressed in Wayne's very frank opinion, "the peace

<sup>5</sup> Curtis to Ticknor, April 8, 1856. George Ticknor Curtis, *Life of Benjamin Robbins Curtis*, I. 80.

<sup>6</sup> Ashley of Ohio's positive testimony on the basis of report current at the time Scott *v.* Sandford was pending, supplies the explanation needed of the demand for reargument, since the final disposition of the case would be precisely the same whether the circuit court were held to have erred in taking jurisdiction or, having rightfully taken jurisdiction, to have properly decided the case on its merits. *Congressional Globe*, 40th Cong., 3d sess., App., p. 211. See also McLean's opinion, Rep. 529-564, and Curtis's animadversions on the same, *ibid.*, 620. 620.

<sup>7</sup> Rep. 529-564. The fact that Nelson was commissioned to write an opinion sustaining the lower court again shows that intrinsically the question of the lower court's jurisdiction was regarded as unimportant.

and harmony of the country required the settlement . . . by judicial decision" of the "constitutional principles" involved in the case.<sup>8</sup> Yielding at last to this pressure, Chief Justice Taney consented to prepare "the opinion of the Court", as it is labelled, covering all issues that had been raised in argument before the court in support of the defendant's contentions. What was to be the scope of the court's decision was known to Alexander H. Stephens, as early as January, 1857,<sup>9</sup> and undoubtedly to Buchanan when he delivered his inaugural address. And to know what scope the decision was to take was equivalent practically to knowing its tenor, since it was extremely improbable that a majority of the court would have allowed so broad a range to inquiry had they not been substantially assured beforehand of its outcome. When, therefore, Buchanan in his inaugural address bespoke the country's acquiescence in the verdict of the court, "whatever it might be", his very solicitude betrayed that, as Lincoln inferred, he was talking from the card.

For obvious reasons, hostile criticism of the Dred Scott decision has always found its principal target in the Chief Justice's opinion, and the gravamen of such criticism has always been that the great part of it, particularly the portion dealing with the Missouri Compromise, was *obiter dictum*. I do not, however, concur with this criticism, for reasons which I shall now endeavor to make plain. And in the first place, it ought to be clearly apprehended what difficulty attaches to a charge of this sort against a deliberate utterance of the Supreme Court of the United States, evidently intended by it to have the force and operation of law, and for the reason that the ultimate test of what *is* law for the United States is, and at the time of the Dred Scott decision was, the opinion of the Supreme Court. On the other hand, the Supreme Court is not theoretically an irresponsible body: by the very theory that makes it final judge of the laws and the Constitution it is subject to these; as by virtue of its character as court it is subject to the *lex curiae*, that is to say, is bound to make consistent application of the results of its own reasoning and to honor the precedents of its own creation. What the charge of *obiter dictum* amounts to therefore is this: first, that the action of the Chief Justice in passing upon the constitutionality of the eighth section of the Missouri Compromise was illogical, as being inconsistent with the earlier part of his opinion, the purport of which, it is alleged, was to remove from the court's consideration the record of the case in the lower court and, with it.

<sup>8</sup> Rep. 454-455.

<sup>9</sup> See Rhodes, p. 253, and references.

any basis for a pronouncement upon the constitutional question; and secondly, that the action of the Chief Justice was also in disregard of precedent, which, it is contended, exacted that the court should not pass upon issues other than those the decision of which was strictly necessary to the determination of the case before it, and particularly that it should not unnecessarily pronounce a legislative enactment unconstitutional. Let us consider these two points in order.

As already indicated, the primary question before the court upon the reargument was what disposition to make of the plea in abatement which the circuit court had overruled, thereby taking jurisdiction of the case,<sup>10</sup> and upon this point a majority of the court, including both Chief Justice Taney and Justice Curtis, ruled decisively both that the plea in abatement was before it and that the decision of the circuit court as to its jurisdiction was subject to review by the Supreme Court.<sup>11</sup> Evidently the charge of illogicality lies against only those judges of the above mentioned majority who, after overruling the plea in abatement and so pronouncing against the jurisdiction of the circuit court upon the grounds therein set forth, passed to consider the further record of the case, by which the constitutional issue was raised. But was such proceeding necessarily illogical? Upon this point obviously the pertinent thing is to consider Taney's own theory of what he was doing, which he states in substantially the following language at the conclusion of his argument on the question of the plaintiff's citizenship: but waiving, he says, the question as to whether the plea in abatement is before the court on the writ of error, yet the question of jurisdiction still remains on the face of the bill of exceptions taken by the plaintiff in which he admits that he was born a slave but contends that he has since become free; for if he has not become free then certainly he cannot sue as a citizen.<sup>12</sup> In other words, the Chief Justice's theory was, not that he was canvassing the case on its merits, which he could have done with propriety only had he chosen to ignore the question of jurisdiction, but that he was fortifying his decision upon this matter of jurisdiction by reviewing the issues

<sup>10</sup> *Supreme Court Reports, Lawyer's Edition*, bk. xv., 694, 697.

<sup>11</sup> This majority consisted of the Chief Justice and Justices Wayne, Daniel, Campbell, and Curtis. Grier considered it sufficient to canvass the question of the lower court's jurisdiction on the basis of the facts stated in the bill of exceptions. Nelson did not consider the question of jurisdiction. Catron and McLean did not deem the question of jurisdiction to be before the court.

<sup>12</sup> Rep. 427. Note also the Chief Justice's statement of the issue at the opening of his opinion, Rep. 400.



raised in the bill of exceptions, *as well as* those raised by the plea in abatement; in other words that he was canvassing the question of jurisdiction afresh.

The matter of the validity of the Chief Justice's mode of proceeding then comes down to this question: Is it allowable for a court to base a decision upon more than one ground and if it does so, does the auxiliary part of the decision become *obiter dictum*? Upon the general question of what constitutes *dictum* we find the writer in the *American and English Encyclopedia of Law* indicating the existence of two views among common-law courts. By one of these views none of a judicial opinion is decision save only such part as was necessary to the determination of the rights of the parties to the action. By the other view, on the contrary, all of an opinion is decision which represents a deliberate application of the judicial mind to questions legitimately raised in argument.<sup>13</sup> On the precise question above stated the writer speaks as follows:

Where the record presents two or more points, any one of which, if sustained, would determine the case, and the court decides them all, the decision upon any one of the points cannot be regarded as *obiter*. Nor can it be said that a case is not authority on a point because, though that point was properly presented and decided in the regular course of the consideration of the case, another point was found in the end which disposed of the whole matter. The decision on such a question is as much a part of the judgment of the court as is that on any other of the matters on which the case as a whole depends. The fact that the decision might have been placed upon a different ground existing in the case does not render a question expressly decided by the Court a dictum.<sup>14</sup>

True, this exact statement of the matter is of comparatively recent date, but it is supported by judicial utterances some of which antedate the Dred Scott decision and others of which, conspicuously one by Chief Justice Waite in *Railroad Companies v. Schutte*, plainly purport to set forth long standing and settled doctrine.<sup>15</sup> It is apparent moreover that this is the only doctrine tenable, for, were the opposite view taken, the law would remain unsettled precisely in proportion as the court presumed to settle it, since with a decision resting upon more than a single ground it would be always open to those so disposed to challenge the validity of all but one of such

<sup>13</sup> *Encyc.* (2d ed.), "Dictum". IX. 452-453; "Stare Decisis", XXVI. 168-169. Cf. *Carroll v. Carroll's Lessee*, 16 How. 275, 287, and *Alexander v. Worthington*, 5 Md. 471, 487.

<sup>14</sup> *Ibid.*, 171. I am indebted for this reference to Elbert W. R. Ewing's *Legal and Historical Status of the Dred Scott Decision* (Washington, 1909). I may add that this is the sum total of my indebtedness to the work mentioned.

<sup>15</sup> 103 U. S. 118, cited with approval in *Union Pacific R. R. Co. v. Mason City etc., R. R. Co.*, 199 U. S. 160.

grounds, and that one selected at whim. Thus granting—what indeed is evident—that Taney was under no necessity of canvassing both the question of Dred's citizenship and that of his servitude, yet since he did canvass both questions with equal deliberation, who is to say which part of his opinion was decision and which *obiter*?

However, it is urged that an exception must be made in the case of constitutional questions, which should be left undecided if possible. To quote Justice Curtis's protest against the Chief Justice's opinion: "a great question of constitutional law, deeply affecting the peace and welfare of the country, is not . . . a fit subject to be thus reached"; such is the argument.<sup>16</sup> So far however is this alleged exception from being justified by the history of the matter, that it would be far nearer the truth to say that, if constitutional cases comprise a class by themselves in this reference, they warrant an exceptionally broad view of the legal value of judicial opinion. Let us consider for example some of Chief Justice Marshall's decisions in this connection, but particularly his decision in *Cohens v. Virginia*.<sup>17</sup>

In that case the plaintiff in error had been indicted and subjected to trial and penalty under a Virginia statute for selling tickets for a lottery which Congress had chartered for the District of Columbia. As in the Dred Scott case, the primary question before the court was one of jurisdiction, though in this case the Supreme Court's own jurisdiction, which counsel for Virginia denied upon four grounds: first, that a state was defendant, contrary to the Eleventh Amendment; secondly, that no writ of error lay from a state court to the Supreme Court; thirdly, that if the act in question was meant to extend to Virginia it was unconstitutional; and fourthly, that it was not meant so to extend. Ultimately Marshall dismissed the case for want of jurisdiction upon the last ground, which involves no constitutional question, but before he did so he not only invited argument upon the other points, but in the greatest of his opinions he met and refuted every argument advanced by counsel for Virginia thereupon. Yet by the test set for Taney's opinion in the Dred Scott case, all the valuable part of this great decision is *obiter dictum*, and that of the most gratuitous kind, since its purport was not in support of but counter to the final disposition of the immediate issue before the court.<sup>18</sup> And in truth *Cohens v. Virginia* was

<sup>16</sup> Rep. 590.

<sup>17</sup> 6 Wheat. 264.

<sup>18</sup> The portion of Marshall's opinion in *Cohens v. Virginia* which comprises the leading decision on the point with which it deals runs as follows: "It is, then, the opinion of the court, that the defendant who removes a judgment rendered against him by a state court into this court, for the purpose of re-

criticized by Jefferson<sup>19</sup> upon grounds quite similar to those taken by the critics of Chief Justice Taney's opinion in *Scott v. Sandford*, notwithstanding which, however, it has always been regarded as good law in all its parts and indeed was so treated and enforced, once and again, by the court over which Taney himself presided.<sup>20</sup>

The fact of the matter is that the critics of Chief Justice Taney take their view of the proper scope of judicial decision from the common law rather than from American constitutional law. Altogether, the only feasible definition, historically, of *obiter dictum* in the field of American constitutional law would seem to be, a more or less casual utterance by a court or members thereof upon some point not deemed by the court itself to be strictly before it and not necessary to decide, as preliminary to the determination of the controversy before it. Such an utterance, for example, is that of Chief Justice Marshall at the close of his decision in *Brown v. Maryland*, where he says that he "supposes" that the principles he has just applied to a case arising in connection with foreign commerce would also apply in a case of commerce among the states.<sup>21</sup> This pronouncement is obviously an aside upon a point not argued before the court and it is quite justifiably ignored by Chief Justice Taney in his opinion in the License cases,<sup>22</sup> whereas the rest of Marshall's opinion in *Brown v. Maryland* Taney treats as law, though the entire second portion of it, dealing with the commerce clause, was unnecessary, as the immediate issue before the court had already been disposed of under Article I., Section 10 of the Constitution.

Chief Justice Taney had therefore, it appears, an undeniable right to canvass the question of Scott's servitude in support of his decision that Scott was not a citizen of the United States, and he had the same right to canvass the question of the constitutionality of the Missouri Compromise in support of his decision that Scott was a slave. To all these points his attention was invited by arguments of counsel and to all of them he might cast it with propriety by a well-established view of the scope of judicial inquiry in such

examining the question whether that judgment be in violation of the constitution or laws of the United States, does not commence or prosecute a suit against the State". By the test set by the critics of C. J. Taney's opinion in *Scott v. Sandford*, however, the above quoted utterance is not decision; for its author continues thus: ". . . But should we in this be mistaken, the error does not affect the case now before the court", the reason being that since Cohens was not a citizen of "another State", the Eleventh Amendment did not apply.

<sup>19</sup> *Writings* (Memorial Edition), XV. 297-298, 326, 389, 421, 444-452.

<sup>20</sup> *R. I. v. Mass.*, 12 Pet. 744 (1838), and *Prigg v. Pa.*, 16 Pet. 539 (1842). See also Taney's own opinion in *United States v. Booth*, 21 How. 506 (1858).

<sup>21</sup> 12 Wheat. 419, 449.

<sup>22</sup> 5 How. 504, 574-578; see also J. McLean, *ibid.*, 594.

cases. If then the decision rendered by six of the nine judges on the bench, that the Missouri Compromise was unconstitutional, is to be stigmatized as unwarrantable, which is all that the court of history can do with it, it is not by pronouncing it to have been *obiter dictum* but by discrediting, from the standpoint of the history of constitutional law antedating the decision, the principles upon which it was rested.

Turning then to consider the constitutional decision directly, we find our task simplified to this extent: that the entire court, majority and dissenting minority alike, are in unanimous agreement upon the proposition that, whatever the source of its power, whether Article IV., Section 3 of the Constitution or the right to acquire territory and therefore to govern it, Congress in governing territory is bound by the Constitution—a proposition to which the court has always adhered, though there has been latterly some alteration of opinion as to what provisions of the Constitution control Congress in this connection. And this was the question that troubled the majority in the Dred Scott case. The Missouri Compromise was unconstitutional, that was certain; but just why—that was immensely uncertain. The extremest position of all was taken by Justice Campbell, whose doctrine was that the only power Congress had in the territories, in addition to its powers as the legislature of the United States, was the power to make rules and regulations of a conservatory character “for the preservation of the public domain, and its preparation for sale or disposition”. From this it was held to follow that whatever the Constitution and laws of the states “validly determine to be property, it is the duty of the Federal Government, through the domain of jurisdiction merely Federal, to recognise to be property”.<sup>23</sup> This of course is the extremest Calhounism, from which it came later to be deduced, with perfect logic, that it was the duty of the federal government, not only to admit slavery into the territory, but to protect it there. But, as Benton showed in his famous *Examination of the Dred Scott Case*, this particular phase of Calhounism was, at the date of the Dred Scott decision, less than ten years old.

And it is at this point that we come upon the second error I had in mind at the outset of this paper, an error traceable to Benton, but ever since repeated by historians of the Dred Scott decision, namely, the assumption that that decision rested exclusively upon Calhounist premises. Nothing however could be farther from the fact, for though Justice Daniel of Virginia seems to go almost as

<sup>23</sup> Rep. 509-517; the quotations are from pp. 514 and 515.



far as Campbell in representing the power of Congress in governing the territories as a mere proprietary power of supervision, yet even he rejects Campbell's notion that Congress was the mere trustee of the states; while Justices Catron of Tennessee, an old Jacksonian Democrat, Grier of Pennsylvania and of similar traditions, Wayne, a Southern Whig, and the Chief Justice himself, could by no means consent thus to read the Constitution through the spectacles of the prophet of nullification. Upon what grounds then were these judges to rest their pronouncement of the unconstitutionality of the Missouri Compromise? Let us first take up the case of Catron and then turn to that of the Chief Justice, who spoke upon this point for himself, for Grier and Wayne, and to a great extent, for Daniel.

Catron paid his respects to the Calhounist point of view in the following words: "It is due to myself to say, that it is asking much of a judge, who has for nearly twenty years been exercising jurisdiction, from the western Missouri line to the Rocky Mountains, and, on this understanding of the Constitution", namely that Congress has power really to govern the territories, "inflicting the extreme penalty of death for crimes committed where the direct legislation of Congress was the only rule, to agree that he had been all the while acting in mistake, and as an usurper." Setting out from this extremely personal point of view, Catron found that Congress possessed *sovereignty* over its territory, limited however in this case by the treaty with France, with which the anti-slavery article of the Missouri Compromise was, he held, incompatible, and always by the spirit of the Constitution, which stipulates for the citizens of each state the rights and privileges of citizens of the several states and demands that the citizens of all states be treated alike in the national territory. It is true that Catron draws the idea of the equality of the states to his support, but his concern is plainly for the rights of citizenship rather than the prerogatives of statehood.<sup>24</sup> And in this connection it is worth recalling that almost exactly thirty years before, as Chief Justice of Tennessee, Catron had rendered the decision in *Van Zant v. Waddell*,<sup>25</sup> which is the first decision in which the concept of class legislation is distinctly formulated as a constitutional limitation, and which is a landmark in the history of American constitutional law.

But the most strongly nationalistic, or more precisely *federalistic*, of all the opinions upon the constitutional question was that of the Chief Justice, who again followed Marshall in tracing the power

<sup>24</sup> Rep. 522-527.

<sup>25</sup> 2 Yerg (Tenn.) 260.

of Congress to govern territories to its power to acquire them. Upon what ground then was he to rest his condemnation of the Missouri Compromise? In one or two passages Taney speaks of Congress as "trustee", but it is as trustee of the "whole *people* of the Union" and for *all* its powers. The limitations upon the power of Congress must therefore, in this case as in all cases, be sought in the Constitution, "from which it derives its own existence, and by virtue of which alone it continues to exist and act as a Government and sovereignty".<sup>26</sup> From this it follows that when Congress enters a territory of the United States it cannot "put off its character and assume discretionary or despotic powers which the Constitution had denied to it": it is still bound by the Constitution. Therefore Congress can make no law for the territories with respect to establishing a religion, nor deny trial by jury therein, nor compel anyone to be a witness against himself in a criminal proceeding. "And", the Chief Justice continues, "the rights of private property have been guarded with equal care." They "are united with the rights of person, and placed on the same ground by the fifth amendment to the Constitution, which provides that no person shall be deprived of life, liberty, and property, without due process of law. And an act of Congress which deprives a citizen of the United States of his liberty or property, merely because he came himself or brought his property into a particular Territory of the United States, and who had committed no offence against the laws, could hardly be dignified with the name of due process of law."<sup>27</sup>

Such then is the basis of the Chief Justice's decision: the "due process of law" clause of the Fifth Amendment. The striking feature of this objection to the prohibitory clause of the Missouri Compromise is its baffling irrelevancy. It is true that the Supreme Court had in 1855, in *Murray v. the Hoboken Company*,<sup>28</sup> laid down the doctrine that all legal process was not necessarily due process, that in providing procedure for the enforcement of its laws Congress was limited in its choice to the methods in vogue at the time of the adoption of the Constitution. But in the Dred Scott case no matter of procedure was involved, the antagonists of the law in question being opposed not to the *method* of its enforcement, but to its enforcement at all; not to the mode of its operation, but to its substance. If lack of due process therefore was chargeable in such a case, it was chargeable in the case of any enactment, penal or of other sort, no matter by what machinery it was designed to be car-

<sup>26</sup> Rep. 448-449. The italics are mine.

<sup>27</sup> *Ibid.*, p. 450.

<sup>28</sup> 18 How. 272.

ried out, if the general result of its enforcement would be to diminish someone's liberty or property for no fault of his own, save as determined by the law in question. In a word, legislation would be practically at an end.

Naturally, the amazing character of this doctrine did not escape the attention of Justice Curtis, who had been spokesman for the court in the *Hoboken* case. If the Missouri Compromise did indeed comprise one of a class of enactments proscribed by the Fifth Amendment, what then, Justice Curtis inquired, was to be said of the Ordinance of 1787, which Virginia and other states had ratified notwithstanding the presence of similar clauses in their constitutions? What again was to be said upon that hypothesis of the act of Virginia herself, passed in 1778, which prohibited the further importation of slaves? What was to be said of numerous decisions in which this and analogous laws had been upheld and enforced by the courts of Maryland and Virginia, against their own citizens who had purchased slaves abroad, and that without anyone's thinking to question the validity of such laws upon the ground that they were not law of the land or due process of law? What was to be said of the act of Congress of 1808 prohibiting the slave trade and the assumption of the Constitution that Congress would have that power without its being specifically bestowed, but simply as an item of its power to regulate commerce? What finally, if the scope of congressional authority to legislate was thus limited by the Fifth Amendment, was to be said of the Embargo Act, which had borne with peculiar severity upon the people of the New England States, but the constitutionality of which had been recently asserted by the court in argument in the roundest terms.<sup>29</sup>

The plain implication of this apparently crushing counter-argument of Justice Curtis is that the Chief Justice was, at this point, making up his constitutional law out of whole cloth. Was this implication quite fair? The answer is that it was not, as a brief examination of the legal history involved will show.<sup>30</sup> What Taney was attempting to do in the section of his opinion above quoted was to engraft the doctrine of "vested rights" upon the national constitution as a limitation upon national power by casting round it the "due process of law" clause of the Fifth Amendment. But neither the doctrine of "vested rights" nor yet such use of "due process of law" was novel, and indeed the former was, in 1857, compara-

<sup>29</sup> Rep. 626-627; the Virginia cases cited are 5 Call 425 and 1 Leigh 172, and the Maryland case is 5 Harr. and J. 107. He might have added 2 Munf. (Va.) 393.

<sup>30</sup> See the writer on "The Doctrine of Due Process of Law before the Civil War", *Harvard Law Review*, XXIV. 366 *et seq.*; 460 *et seq.*

tively ancient. The doctrine of "vested rights" signified this: that property rights were sacred by the law of nature and the social compact, that any legislative enactment affecting such rights was always to be judged of from the point of view of their operation upon such rights, and that when an enactment affected such rights detrimentally without making compensation to the owner, it was to be viewed as inflicting upon such owner a penalty *ex post facto* and therefore as void. The foundation for the doctrine of "vested rights" was laid in 1795 by Justice Patterson in his charge to the jury in *Van Horn v. Dorrance*,<sup>31</sup> but more securely still by Justice Chase in his much cited dictum in *Calder v. Bull*,<sup>32</sup> in which he propounds what may be regarded as the leavening principle of American constitutional law, the doctrine, namely, that entirely independent of the written Constitution, legislative power is limited by its own nature, the principles of republican government, natural law, and social compact.

Reposing upon this foundation, as well as upon the principle of the separation of the powers of government, the doctrine of "vested rights" soon found wide acceptance, being infused by Marshall in 1810 into the "obligation of contracts" clause of the national Constitution<sup>33</sup> and receiving from Chancellor Kent in 1811 its classic formulation in *Dash v. Van Kleeck*.<sup>34</sup> Presently, however, principles hostile to the doctrine began to appear, particularly the doctrine of "popular sovereignty", which insisted in the first place upon tracing the sanctity of the written Constitution, not to a supposed relation to fundamental rights but to its character as the immediate enactment of the sovereign people, and in the second place upon the natural predominance of the legislature in government as comprising the immediate representatives of the people. From 1830 on, the doctrine of the "police power", that is, the power of the legislature to regulate all rights in the furtherance of its own view of the public interest, began to supersede the doctrine of "vested rights" as the controlling maxim of American constitutional law, receiving indeed from Taney himself, in his opinions in the *Charles River Bridge* case and *License* cases, a distinct impetus.<sup>35</sup> In this situation obviously the problem before those judges who wished to adhere to the older doctrine was to discover some phrase of the written Constitution capable of subserving the purposes of the doctrine of "vested rights". The dis-

<sup>31</sup> 2 Dall. 309 (1795).

<sup>32</sup> 3 Dall. 386 (1798).

<sup>33</sup> 6 Cr. 87, *Fletcher v. Peck*.

<sup>34</sup> 7 Johns. (N. Y.) 498.

<sup>35</sup> 11 Pet. 420 (1837); 5 How. 504 (1846).



covery was made by the North Carolina supreme court, in 1832, in the case of *Hoke v. Henderson*,<sup>36</sup> in which the use made of the phrase "law of the land" of the North Carolina constitution affords an exact counterpart to Taney's use of "due process of law" in *Scott v. Sandford*. From North Carolina the notion spread to New York, where it was utilized by Justice Bronson in 1843 in *Taylor v. Porter*.<sup>37</sup> The immediate source of Taney's inspiration, however, was probably—though there is no hint of the matter in the briefs filed by Sandford's attorneys—the decision of the New York court of appeals in the case of *Wynehamer v. the People*, in which, in the interval between the first and second arguments of the *Dred Scott* case, an anti-liquor law was pronounced unconstitutional under the "due process of law" clause of the New York constitution, as comprising, with reference to existing stocks of liquor, an act of destruction which it was not within the power of government to perform, "even by the forms which belong to due process of law".<sup>38</sup>

So much by way of justification of Chief Justice Taney. There is however another side to the matter. In the first place, as above hinted, Taney was performing in *Scott v. Sandford* what for him was a distinct *volte face* toward the doctrine of "vested rights". In the second place, he was availing himself of what at the time was decidedly the weaker tradition of the law. For not only had the doctrine of "vested rights", in 1857, generally gone by the board in its original form, but save in North Carolina and New York it had, in its new disguise, practically no hold anywhere. Essentially contemporaneous with the *Wynehamer* case were similar cases in an even dozen states. In all save one the law was upheld, and in that case it was overturned upon the basis of the doctrine of natural rights.<sup>39</sup> Furthermore, in only one court, that of Rhode Island, and that subsequently to the New York decision, was the "due process of law" or "law of the land" clause adduced as a limitation upon substantive legislation. Said the Rhode Island court on that occasion: "It is obvious that the objection confounds the power of the assembly to create and define an offense, with the rights of the accused to trial by jury and due process of law . . . before he can be convicted of it."<sup>40</sup>

<sup>36</sup> 2 Dev. 1, preceded by *Univ. of N. C. v. Foy*, 2 Hayw. 310 (1807). See also Webster's argument in the Dartmouth College case, 4 Wheat. 518, 575 *et seq.*

<sup>37</sup> 4 Hill (N. Y.) 140, preceded by the matter of *John and Cherry Sts.*, 19 Wend. 676, and followed by *White v. White*, 5 Barb. 474, *Powers v. Bergen*, 6 N. Y. 358, and *Westervelt v. Gregg*, 12 N. Y. 209 (1854).

<sup>38</sup> 13 N. Y. 378, 420 (through Justice A. S. Johnson).

<sup>39</sup> *Harv. Law Rev.*, XXIV. 471-474.

<sup>40</sup> *St. v. Keeran*, 5 R. I. 497; see also 5 R. I. 185, and 3 R. I. 64 and 289.

This utterance may be taken, without hesitation, as decisive of the established interpretation of the "due process of law" clause in 1857. But all this is upon the assumption of a parity between Congress and the state legislature with reference to the doctrine of vested rights. In the third place, however, no such parity could, upon fundamental principles, have been justifiably conceived to exist at the date of *Scott v. Sandford*. The doctrine of "vested rights" rested upon the hypothesis of the recognition by the common law of certain fundamental rights which the people of the respective states possessed from the outset and which they could not be supposed to have parted with by mere implication in establishing the legislative branch of the government.<sup>41</sup> But these considerations were entirely irrelevant to the case of the legislative powers of Congress for two distinct, but equally powerful, reasons. In the first place it was a fundamental maxim in Taney's day that there was no such thing as a common law of the United States.<sup>42</sup> In the second place the power of Congress is not a loosely granted general power of legislation but a group of specifically granted powers. While, therefore, the federal courts from the very outset—though very sparingly in Taney's day—in cases which fell to their jurisdiction because of the character of the parties involved and in which therefore state law was to be enforced, repeatedly passed upon the validity of state laws under "general principles of constitutional law",<sup>43</sup> the United States was always conceived strictly as a government of delegated powers, neither deriving competence from, nor yet finding limitation in, principles external to the Constitution. It was therefore always a fundamental principle of constitutional construction with Marshall that within the sphere of its delegated powers the national government was sovereign, not merely as against the rights of the states but also against the rights of individuals, a point of view which he sets forth with great explicitness in his opinion in *Gibbons v. Ogden*<sup>44</sup> with reference to the commercial power of Congress and which Justice Daniel reiterates, so far as the rights of persons are concerned, as late as 1850 in *United States v. Marigold*.<sup>45</sup> True, Taney does find

<sup>41</sup> See J. Patterson in *Van Horne v. Dorrance*, cited above; also J. Story in *Terrett v. Taylor*, 9 Cr. 43 (1815), and in *Wilkinson v. Leland*, 2 Pet. 627 (1829).

<sup>42</sup> The leading case on this point is that of *Wheaton and Donaldson v. Peters and Grigg*, 8 Pet. 591, 658.

<sup>43</sup> See note 40, *supra*; see also J. Miller in *Loan Association v. Topeka*, 20 Wall. 655 (1874) and in *Davidson v. New Orleans*, 96 U. S. 97 (1877).

<sup>44</sup> 9 Wheat. 1, 196-197. The doctrine here stated is that the only limitations upon the power of Congress in the regulation of foreign and interstate commerce are the purely political limitations which arise from the responsibility of Congress to its constituents.

<sup>45</sup> 9 How. 560.

the restriction which he is applying in the Constitution itself, namely, in the "due process of law" clause of the Fifth Amendment, but what this admission signifies is simply this: that his use of the clause in question can draw no valid support from the earlier history of the doctrine of "vested rights", which upon fundamental principles was applicable only as a limitation upon the legislative power of the states, and that therefore its only justification is to be found in what, in 1857, was a relatively novel doctrine peculiar to the courts of two states.

But though Taney's invocation of the "due process of law" clause of the Fifth Amendment had so little to warrant it in the constitutional law of the day, it has received subsequently not a few tokens of ratification. Particularly is it noteworthy that the Republican opponents of the Dred Scott decision, instead of utilizing Curtis's very effective dissent at this point, now pounced upon the same clause of the Constitution and by emphasizing the word "liberty" in it, instead of the word "property", based upon it the dogma that Congress could not *allow* slavery in the territories.<sup>46</sup> After the Civil War Taney's Republican successor, Chase, used the "due process of law" clause of the Fifth Amendment in his opinion in *Hepburn v. Griswold* in the same sense in which Taney used it in *Scott v. Sandford*, but only as a limitation upon the implied powers of Congress.<sup>47</sup> This doctrine was flatly rejected by the Supreme Court, speaking through Justice Strong, in *Knox v. Lee*.<sup>48</sup> Yet a few years later, Justice Strong himself was elaborating the Taney-Chase point of view in his dissenting opinion in the Sinking Fund cases, and connecting it with *Hoke v. Henderson*.<sup>49</sup> Of late years too the same doctrine has shown a disposition to crop up repeatedly, though it is uncertain whether it has ever attained the dignity of formal decision.<sup>50</sup> Meantime of course, since the middle nineties, when the Supreme Court began to regard itself as the last defense of the country against socialism, it has been applying

<sup>46</sup> See the Republican Platform of 1860, para. 8. At this point the Republicans followed McLean's opinion rather than Curtis's. Note the significance in this connection of the discussion as to whether slaves were recognized by the Constitution; and also of the discussion as to whether slavery was recognized by natural law.

<sup>47</sup> 8 Wall. 603, 624; *cf.* J. Miller's cogent answer, *ibid.*, 637-638. Also, *cf.* the Chief Justice's own decision in *Veazie Bank v. Fenno*, in the same volume of reports, 533 *et seq.*

<sup>48</sup> 12 Wall. 457, 551. C. J. Chase elaborates upon his earlier argument under the Fifth Amendment at 580-582; he quotes the old dictum in *Calder v. Bull* to support his position.

<sup>49</sup> 99 U. S. 700, 737-739.

<sup>50</sup> See the various justices in the Northern Securities Company case, 193 U. S. 197, 332, 362, 397-400. See also J. Harlan in *Adair v. United States*, 208 U. S. 161, 172-174; *cf.* J. McKenna, *ibid.*, 180-190, and J. Holmes, 191.

steadily in modified form the North Carolina-New York doctrine in limitation of state legislative power under the Fourteenth Amendment.<sup>51</sup>

Turning finally to the consideration of our third main topic, namely the character of the issue between Chief Justice Taney and Justice Curtis upon the question of citizenship raised by Dred's attempt to sue in the federal courts, we find that it can be disposed of rather briefly. The usual view of the issue referred to is that it resolved itself into a dispute as to the relative weight to be given to the two conflicting sets of facts bearing upon the question whether negroes were in any case capable of citizenship at the time of the adoption of the Constitution, a dispute in which it is generally agreed that Justice Curtis had the weight of evidence on his side. This account of the matter is inaccurate. A careful comparison of Chief Justice Taney's opinion with that of Justice Curtis reveals the fact that the fundamental issue between the two judges, though it is not very specifically joined, is not whether there may not have been negro citizens of states in 1787 who upon the adoption of the Constitution became citizens of the United States, but from what source citizenship within the recognition of the Constitution was supposed to flow thenceforth. Upon this point, Curtis's view was that citizenship within the recognition of the Constitution in the case of persons born within the United States was through the states, while Taney's view was that a "citizen of the United States", to use his frequent phrase, always, unless descended from those who became citizens at the time of the adoption of the Constitution, owed his character as such to some intervention of national authority—was, in short, a product of the national government.<sup>52</sup> Curtis's theory, it can hardly be doubted, was that of the framers of the Constitution, wherefore Taney's pretense of carrying out not only the spirit but the very letter of the Constitution as it came from the framers, becomes at this point particularly hollow.<sup>53</sup> On the other hand, Taney's view is a very logical, and indeed inevitable, deduction from his whole body of doctrine with reference to the federal system. This doctrine, which came from the "Virginia School" after its disappointment at the failure of the

<sup>51</sup> See the writer on "The Supreme Court and the Fourteenth Amendment", *Michigan Law Review*, VII. 642-672. See also *Holden v. Hardy*, 169 U. S. 366, and *Lochner v. the People of the State of New York*, 198 U. S. 45.

<sup>52</sup> Taney states his position on this point at pp. 404-406 and 417-418 of the Report, and Curtis states his at p. 581.

<sup>53</sup> Taney translates the "citizens of each State" clause of the Constitution as "citizens of the United States", but the derivation of this clause from the Articles of Confederation forbids any such notion. See also *Federalist*, no. XLII.



Virginia and Kentucky Resolutions to establish the primacy of the states in the federal system, was the theory of the dual nature of that system: the states independent and sovereign within their sphere and the national government within its. This theory Taney had voiced from the beginning of his judicial career, so that, at this point at least, he was acting consistently with his past. Also, without doubt, the doctrine in question was pretty well established by 1857, both in judicial decision and in political thinking.<sup>54</sup>

To summarize: I conclude, first, that the Dred Scott decision was not *obiter dictum* within any definition of *obiter dictum* obtainable from a fair review of the practice of the Supreme Court, particularly under Marshall, in constitutional cases; secondly, that it was not based by the majority of those entering into it upon Calhounist premises; and thirdly, that Justice Curtis's supposed refutation of Taney's argument upon the question of Dred Scott's title to a *prima facie* citizenship within the recognition of the Constitution is a fiction. None of these results, however, goes far to relieve that decision of its discreditable character as a judicial utterance. When, as in this case, the student finds six judges arriving at precisely the same result by three distinct processes of reasoning, he is naturally disposed to surmise that the result may possibly have induced the processes rather than that the processes compelled the result, though of course such surmise is not necessarily sound; but when he discovers further that the processes themselves were most deficient in that regard for history and precedent in which judicial reasoning is supposed to abound, his surmise becomes suspicion; and finally when he finds that beyond reasoning defectively upon the matter before them, the same judges deliberately gloss over material distinctions (as for example, in this case, the distinction between sojourn and domicile) and ignore precedents that they have themselves created (as for example, in this case, the decisions regarding the operation of state decisions upon questions of comity) his suspicion becomes conviction. The Dred Scott decision cannot be, with accuracy, written down as usurpation, but it can and must be written down as a gross abuse of trust by the body which rendered it. The results from that abuse of trust were moreover momentous. During neither the Civil War nor the period of Reconstruction did the Supreme Court play anything like its due role of supervision, with the result that during the one period the military powers of the President under-

<sup>54</sup> For a statement of this doctrine, see Taney's opinion in the United States v. Booth, cited above, note 19. It should be noted in passing that this elucidation of the real issue between Taney and Curtis on the citizenship question throws additional light on the close relation existing in Taney's mind between the question of Dred's servitude and that of his citizenship.

went undue expansion, and during the other the legislative powers of Congress. The court itself was conscious of its weakness, yet notwithstanding its prudent disposition to remain in the background, at no time since Jefferson's first administration has its independence been in greater jeopardy than in the decade between 1860 and 1870; so slow and laborious was its task of recuperating its shattered reputation.

EDWARD S. CORWIN.

## DOCUMENTS

### *Secret Reports of John Howe, 1808, I.*

THE feeling of acute tension between Great Britain and the United States in 1807 resulted in detailed preparations for defence throughout British North America. Civil governors gave way to men whose strength lay rather in the fact that they were experienced military officers; old fortifications were renewed, and new ones planned; military stores were suddenly augmented; while the numbers of the militia and their proficiency in the manual of arms became important, burning topics.<sup>1</sup> Amid this threatening rattle of arms the employment of secret service was once again resorted to as an auxiliary force of no mean value. Two movements run parallel in east and west: in Lower Canada Sir James Craig received the now famous letters of John Henry in the spring of 1809, while in 1808 Sir George Prevost, lieutenant-governor at Halifax, was gleaning information along similar lines from the reports of John Howe. Likewise in each case the prologue is well defined. If Prevost's predecessor Sir John Wentworth and certain official associates took the first step to discover the real disposition of their American neighbors whose trade was so important for Nova Scotia, the correspondence of H. W. Ryland affords a clear view of preliminary movements at the other extremity of British North America.

With Sir James Craig and the letters of John Henry we need spend little time. They are well known. It will be sufficient to note that the guiding spirit in this affair was Herman W. Ryland, a relative of the English royal family, who came to Canada with Lord Dorchester, and had become almost a permanent secretary to the governors. He carried on the tradition of Dorchester's secret service, and corresponded with several persons on various political topics of a confidential nature.<sup>2</sup>

On the other hand the records of secret service in Nova Scotia

<sup>1</sup> This is amply proven by state papers in Q and M series in the Canadian Archives at Ottawa.

<sup>2</sup> Letters to him from John Richardson and John Henry are in Lower Canada Sundries of the S series at the Dominion Archives. The Henry letters given *in extenso* in the *Canadian Archives Report* for 1896, Note B, are taken from series Q. Some in series S have not been printed. The Henry letters bought and printed by President Madison, and dated at Boston, March 5-May 25, 1809, may be most conveniently seen in *American State Papers, Foreign Affairs*, III. 547-552.

during this period are almost unknown, and no satisfactory account has ever been given of the documents printed below. They are taken from series M at the Dominion Archives at Ottawa, numbers 577 F-577 H inclusive. The originals are among Colonial Office papers at the Public Record Office, London, series "Colonial Correspondence, Nova Scotia", volumes 41-45 inclusive (new reference "C. O. 217", volumes 81-85 inclusive).

It is not difficult to trace the steps leading up to the formal mission of John Howe. It could hardly be unknown to all high officials in British North America that Jefferson's embargo policy was decidedly unpopular in New England. The murmurings of the disaffected and the comparative looseness of the federal bond were other patent facts of the time. As a result we find British officials both in England and in America endeavoring to obtain a more exact knowledge of the political situation in the United States with a view to profiting thereby should war ensue. When fugitive items were not deemed sufficient the sending of regular agents logically followed. It is significant that both Lower Canada and Nova Scotia sent emissaries to those parts of the United States in whose trade they were chiefly interested; the commercial relations of Nova Scotia covered a wider field.

On October 26, 1807, Sir John Wentworth wrote to the colonial secretary as follows:<sup>3</sup>

As accurate information of the military movements, occurrences and intentions in the neighbouring Country's, is essentially necessary at this interesting and anxious crisis of Public affairs, to enable His Majesty's servants in command here, to take precautionary measures for defence with effect, or to frustrate any hostilities contemplated against the King's authority in these Colonies, Vice Admiral Berkeley, Major General Hunter and myself have thought it, not only advisable, but too seriously essential to omit despatching a person well qualified, to observe whatever may be agitating.

This preliminary agent was Lieutenant Girod, who returned in May, 1808, and delivered his report.<sup>4</sup>

The character of the information which reached Halifax at this time may be judged from two extracts. The first was written by Major-General Martin Hunter, then commanding the military at Halifax.<sup>5</sup>

By a gentleman on whom I can depend that arrived here on Sunday last from New York I found at that time no further preparations were

<sup>3</sup> Canadian Archives, series M, 577 E, Wentworth to Castlereagh, no. 177, Oct. 26, 1807.

<sup>4</sup> Can. Arch., series M, 577 E, Wentworth to Cooke, May 25, 1808. Lieut. Girod's report is printed as no. I., below.

<sup>5</sup> Can. Arch., series M, 577 D, Hunter to Castlereagh, Nov. 11, 1807.



making for the defence of the City, except some additional Batteries on Georges Island. The narrows still remained unfortified; he counted thirteen Gun Boats sailing about in the Harbour he said he was certain that the Eastern members of Congress to a man were for Peace, but that they were much afraid at New York that they would be out voted by the Southern members. In the event of Hostilities with England it was generally supposed the Indians were inclined to join us.

The second was penned by Sir John Wentworth, and is as follows:<sup>6</sup>

This District [New England] is offended at the interference of France in the affairs of the Union, too obviously to be doubted, and with a separate interest driving them to War, and alarmed at appearances, that the Conquest of Canada, Nova Scotia and New Brunswick, under the command of General Moreau, will bring the power of France so near to New England as to entail war and corrupt means for their subjugation. They also wisely appreciate their probable loss, and present inability for carrying on a maritime war, and are jealous, that their interests are not considered by those in Government, who urge a rupture with Great Britain. These impressions are so deeply prevailing, that they will act coldly, and not impossibly, if compelled will openly refuse aid. . . .

The members of Congress from the Eastern States on their journey to Washington, frequently declared, they were resolved to vote for Peace, and Mr. Gallatin, Secretary of the Treasury signified to his private friend—That secret instructions were sent, to their minister in London, not to insist too seriously on their claims, rather seeking moderate modifications.

As a result of these reports Sir George Prevost, Wentworth's successor, received formal instructions from the colonial secretary, which ran in this wise:<sup>7</sup>

In addition to the official instructions you have received, I think it right to furnish you with some private suggestions which may be of use according to exigencies.

It is believed that the Leaders and Inhabitants in general of the North Eastern States entirely disapprove of hostile measures against this Country, of which they seem by their Publications and Votes, to deny both the Policy and Justice. If this spirit be as sincere and as general as we are led to suppose, no means should be unemployed to take advantage of it.

With this view, I am to desire you will use your utmost endeavours to gain Intelligence with regard to the projects of the American Government in General, and particularly those of the States bordering upon His Majesty's Territories; and as this service cannot be effected without Expence, I am to authorize you to make such advances as you shall judge necessary, and to draw Bills for the amount upon my under secretary Mr. Cooke. . . .

<sup>6</sup> Can. Arch., series M, 577 D, secret despatch (no. 178) from Wentworth to Castlereagh, Nov. 14, 1807.

<sup>7</sup> Can. Arch., series M, 577 E, draft of private and secret despatch to Sir George Prevost, Downing Street, Feb. 13, 1808.

If, upon the breaking out of Hostilities, you shall find the adjacent States indisposed to active Warfare, and willing to enter into any private arrangement for mutual convenience in point of Trade; you may possibly turn this Disposition into a Means of facilitating the Introduction of British commodities and manufactures. The Power you will have of giving the Americans Indulgence in Fishing, in obtaining Gypsum from New Brunswick, or coals from Cape Breton, will enable you to make Arrangements of this kind and such measures will show that as the Eastern States of America seem to disapprove the violence of the Southern States of the Union, Great Britain is disposed to make a just distinction in the Conduct of the War, towards them.

The Circulation of proper Publications in the neighbouring States through the medium of the Press may have good effect in awakening the Americans to the Ill conduct and Impolicy of their Government in precipitating Hostilities between the two Countries, which it was the obvious interest of America, and the express Wish of Great Britain to avoid.

Upon arriving at Halifax Prevost sent a sloop of war to the British minister at Washington with a letter announcing his presence in Nova Scotia, and a note in cipher making arrangements for the use of that code. He also sent a "respectable and intelligent Inhabitant of Halifax, first to Boston, then Washington, Norfolk, and New York, with the instructions contained in No. 1".<sup>8</sup>

This individual was John Howe of Halifax, king's printer in Nova Scotia. John Howe was born in Boston in 1754. Just before the Revolution he entered into a partnership with the widow of Richard Draper in the publication of the *Massachusetts Gazette*. At the time of the general evacuation on March 17, 1776, he withdrew to Halifax, but at the end of that year went with the British forces to Newport, where from January, 1777, until (probably) October, 1779, he published in the royalist interest the *Newport Gazette*. Settling at Halifax he began on January 5, 1781, the publication of the *Halifax Journal*, became king's printer, and later postmaster-general of the Maritime Provinces, also having charge of the important Halifax post-office. He died in 1835. To many he is best known as the father of the famous Nova Scotian statesman Joseph Howe.<sup>9</sup>

Upon Howe's return from his first mission it was deemed best to obtain further information, and he was prevailed upon to make a second trip, which lasted from November 10, 1808, to January 5, 1809. His instructions, with which the second installment of the

<sup>8</sup> Can. Arch., series M, 577 E, Prevost to Cooke, Apr. 27, 1808.

<sup>9</sup> James W. Longley, *Joseph Howe*, pp. 1-4; James H. Stark, *The Loyalists of Massachusetts*, pp. 361-364; Lorenzo Sabine, *Biographical Sketches of Loyalists of the American Revolution*, I. 548-550.

papers here printed will open, were sent as queries to British consuls in both the northern and southern states.<sup>10</sup>

In conclusion it may be noted that Howe's report on the disposition of the eastern states was so satisfactory, as a result of his second mission, that on it Lieutenant-General Sir George Prevost decided to proceed on his expedition to the West Indies.<sup>11</sup>

DAVID W. PARKER.

# I. GIROD TO WENTWORTH.

To Sir John Wentworth Bart.<sup>12</sup>

Report of a Journey to the United States of America.

Sir,

It having been represented to Admiral Berkeley that a considerable armament of Vessels and Troops was forming in the Bay of Penobscot, and it being deem'd necessary for the good of His Majesty's Service to ascertain the nature and extent of the preparations, I proceeded in the beginning of the Month of November 1807 at the joint request of his Excellency the Lieutenant Governor of Nova Scotia, of Admiral Berkeley<sup>13</sup> and of Major Genl. Hunter, commanding the Garrison of Halifax to reconnoitre the position of Penobscot now call'd Castine, situated on the Eastern shore of the Bay and about 150 miles from the eastern frontier of the United States, and having assum'd the character of a Swiss, I had an opportunity of examining the post, but found not the smallest appearance of any hostile preparations, there being at that time not more than five small vessels in the port, all of which were either loaded with wood or haul'd up on the shore; a single company of Militia of the town was the only Military force in that neighbourhood, these were, as I was inform'd, occasionally exercis'd to the use of the great guns, the fort situated at the extremity of the peninsula and commanding the entrance of the harbour, appear'd to have been long neglected, this fort built by His Majesty's forces during the war was always kept by them, the Americans having made an attack on it, were repuls'd with considerable loss. Having satisfied myself on this head, I proceeded according to the instructions I had receiv'd to take a view of the ports of Portland, Boston, Newport, Rhode Island, New York and Philadelphia, in neither of which, so far from finding any appearance of offensive operations, not even the slightest measures of defence had been undertaken; and on my return in the months of April and May 1808 everything was exactly in the same state in all the above ports, the summary then of my observations with respect to the naval and military situation of the country is, that there is not a single Frigate

<sup>10</sup> Can. Arch., series M, 577 B, Prevost to Craig, Nov. 19, 1808; *ibid.*, Prevost to Cooke, Nov. 30, 1808; Can. Arch., series M, 577 H, Hunter to Castle-reagh, Jan. 9, 1809. The replies of the consuls are not at the Dominion Archives.

<sup>11</sup> Can. Arch., series M, 577 H, Prevost to Cooke, May 19, 1809.

<sup>12</sup> Sir John Wentworth (1737-1820), last royal governor of New Hampshire, lieutenant-governor of Nova Scotia from 1792 to 1808, when he was superseded by Sir George Prevost.

<sup>13</sup> Vice-Admiral George C. Berkeley, commanding on the Halifax station.

ready for sea, the *Wasp* and *Hornet* sloops being the only ships of war at present fit to go to sea, all the others being either refitting or laid up, there are about ninety Gun boats distributed in the different harbours of the United States.

The Militia is badly disciplin'd and still worse arm'd, and according to the present organization every man being oblig'd to furnish his own gun, they are form'd of different calibre.

The levy of 6000 regular Troops voted by Congress is recruiting with considerable difficulty, as may be suppos'd in a country where ordinary labourers earn a dollar p<sup>r</sup>. day: there are no magazines of provisions [or] warlike stores, and they have no tents, nor the smallest appearance of any hostile preparation: such was the state of the country when I left it.

With respect to the general sentiments of the people, I am dispos'd to think them favorable to Great Britain, notwithstanding that the majority of the states continue to give their decided support to the Executive, by electing into the legislature such men as are known to have uniformly supported the measures of government; yet are we not to suppose that all those who from various motives have been induc'd to favour the Executive, are hostile to Great Britain, neither are we to imagine all those to be favorable to her interests who oppose the views of the President

The wounds receiv'd during the war are still felt by many who were more immediately exposed to the evils with which it was inevitably attended, and every means are resorted to by the government in order to encourage and increase this spirit of rancour and animosity, nothing is left unemploy'd that may tend to excite the public mind; every piece of exaggerated intelligence most calculated to inflame the public opinion, and rouse the feelings of the nation is industriously circulated; and until the effects of the Embargo be more generally felt by the agricultural part of the community, the President will undoubtedly be supported.

The determin'd hostility of the Executive to the Interest of G. Britain is too evident, yet in a matter of such magnitude so deeply involving the general interest of the nation, his indecision is equally manifest. A declaration of war against Britain, unless some new cause of dissatisfaction be given wou'd be odious and unpopular, and at this time would prove highly injurious to the interest of Mr. Maddison whose election to the presidential seat and which<sup>14</sup> he has very much at heart.

The President of the United States will however probably endeavour to throw the odium of a war on the British Government, and there is little doubt that the sloops of War and Gunboats that have lately arriv'd on the Eastern shore of this territory, have been sent in the hope that some serious difference may be excited in that quarter, although the ostensible motive of their coming was to enforce obedience to the Embargo law.

It was not in my power to enter deeply into the ulterior views of the Government of America; the want of support of His Majesty's Minister during my residence at Washington did not admit of my forming those connections from which I might hope to derive any political information: for, it not having been thought prudent on account

<sup>14</sup> *Sic.*



of the difficulties that might occur to me during my progress through the Country that I should have in my possession any document that might lead to a discovery of my real Character, I did not take with me any letter to the Minister, trusting that Admiral Berkeley as he assured me, would announce my arrival to Mr. Erskine, but no letter to that effect ever came to hand, so that Mr. Erskine himself was never perfectly satisfied as to the identity of my person, much less with respect to the motives of my journey to that Country.

Thus Sir, you will perceive that my views were in great measure frustrated; without the certainty of support from the Minister in case [of] difficulty, I did not proceed to Charleston and New Orleans, indeed my Instructions did not go so far, yet perhaps more useful information might be obtain'd there than in any other part of the Union.

I have the honor to be with the greatest Respect

Sir

Your obedt. and faithful Servant

WILLIAM GIROD

Lieut. 101st Regt.

HALIFAX Nova Scotia

28<sup>th</sup> May 1808.

Original.

[Endorsed:] Lieut. Girod's Report to Sir John Wentworth.

## II. PREVOST'S INSTRUCTIONS TO HOWE.

To ascertain how far His Majesty's wishes are approved in the United States, and whether any and what measures could be adopted to re-establish and preserve a future good understanding between the two Nations?

To ascertain the strength of the federal and democratical Parties—how far the one or the other prevail in each state? which of the States are the most leading and influential?

State of Parties, to be attained, by their chusing of Governors, and canvassing for the Election of a President.

Should the decision of these Elections indicate a prevalence of the party hostile to Great Britain—endeavour to ascertain whether hostilities are likely to be immediate or remote?

What preparations for the War are making in America—whether Naval or Military?

What Success has attended the raising of six thousand Troops of the Line lately voted, whether 25,000 Militia, or any part of them, ordered into immediate service, have been called into actual Service? and if so where are they stationed?

To attend the Debates of Congress, by which the President's intentions might in a considerable degree, be developed.

If any sudden indication of Hostility should appear, to arrange with confidential Persons the readiest mode of communicating it.

[Endorsed:] In Sr. G. Prevosts

April 1808

No. 1.

III. HOWE TO PREVOST.

BOSTON, May 5, 1808.

Sir,

I arrived here in the *Emulous* the 22d Ult. on which Morning. I proceeded with Lieut. Garbett, to the Town; and on landing, went with him to the Custom-House, when he delivered a very proper Letter from Captain Stupart, to the Collector, in which was stated that he was the bearer of Dispatches to Mr. Erskine, His Majesty's Minister at Washington, and expressing his Wish to be permitted to discharge this duty in perfect conformity to the Directions contained in the President's Proclamation.

The Collector<sup>15</sup> received us politely, and without a minute's hesitation, expressed in the fullest manner his acquiescence in Captain Stupart's desire, and said he might land with the Dispatches when he pleased. I then stated to him that I had come as a passenger in the *Emulous* on a visit to my friends, and requested permission to land my Trunk, and would thank him to direct a proper Officer to inspect it. He replied, that was quite unnecessary, and I might land it when I pleased. Having thanked him for his politeness, we left the Office. But on a little reflection, we agreed to return to the Custom-House, and make another request, which if granted, would leave us, while the ship remained here, in full possession of all the indulgence that was necessary either for duty or convenience. We expressed a wish, that the Boat which would immediately return to the Ship, should be permitted to take from the Market such Articles of Provision, as might now, or during her stay, be wanted. This the Collector also, most readily granted, and from that period to the present, the Purser has had as ready access to the Market of Boston, as he could have to the Market at Halifax.

Captain Stupart landed with his Dispatches next Morning; and every day afterwards, a part of the Officers were on shore, and permitted to go where they pleased. They have been in every instance received with politeness, and the mutual acts of Civility which have passed, will I am convinced, be attended with the happiest political effects. And I cannot help here remarking, that the experiment thus made of the present feelings of this Section of the American Union, could not have been committed to an Officer more completely fitted to the task than Captain Stupart. His uncommon suavity of Manners have rendered him agreeable to every description of the Community with whom he has occasionally mixed, and such is the strict, yet pleasing discipline of his ship, that while Officers and Men look up to him with the most marked respect, he has excited their utmost veneration, and they appear studiously proud to imitate his correct and orderly manners. I am convinced that good will result to both Countries from the reciprocal kindly intercourse, which has so freely taken place between Captain Stupart, his Officers, and the inhabitants here. I should not have so fully noticed this circumstance, was it not from the conviction, that as things trifling in themselves, have often led to the most serious contests among Nations, so by circumstances, apparently full as trifling, have these contentions been brought to a happy termination. And I am convinced, if care is taken, while the present jealousy sub-

<sup>15</sup> Henry Dearborn.

sists between the Countries, to select temperate, judicious persons to hold such communications as may be necessary, and circumstances that would lead to irritation are carefully avoided, that the period is not far distant when a friendly intercourse will be renewed between the respective Countries.

A day or two after my arrival here, I was attacked in a violent democratic Paper, which your Excellency will find among the Papers enclosed;<sup>16</sup> but it excited no other sensation here than general contempt, and the Federal Printers were preparing to attack the Editor, which I was obliged to take pains to prevent, as it was altogether inconsistent with the object of my pursuits, to excite, in any degree the public attention towards me.

I have, from the day of my arrival been treated with the utmost kindness, by all descriptions of the community; have conversed as freely on all topics, as I could have done in Halifax, and have without restraint gone where I pleased, and viewed what I pleased.

On our entrance into the Harbour, the first noticeable object that strikes the eye is the remains of two Redoubts which appear to have been formerly erected to defend the Entrance into Nantasket Road. They appear in a perfectly ruinous state, and are at present not calculated to be considered of any defensive use whatever. As we passed Fort Independence (formerly Castle William) slowly in the Boat, I had a good View of the Fort, and am convinced from my own observations, and the enquiries I have since made, that though much money has been expended on it, it is inferior as a defensive post to what it was when in our possession.<sup>17</sup> Its garrison consists of about 50 Men commanded by a Major. This gentleman expressed to a friend of mine his wish to invite Captain Stupart and his Officers to dine at the Castle, but thought in the present state of parties in the Country it would not be prudent to do it. On one or two Islands and at Dorchester Heights are to be seen the remains of Redoubts, which were thrown up during the Revolutionary War, and which appear in that state of ruin which such a lapse of time is calculated to produce. After examining all the Heights calculated for defensive positions in or about the Town, there is nothing to be seen, but the remains of Works in a state of Ruin, no guns mounted, nor any appearance whatever, that could lead to the most distant idea that they either contemplated war, or were wishing to be prepared for it.

The great number of new and elegant buildings which have been erected in this Town, within the last ten years, strike the eye with astonishment, and prove the rapid manner in which these people have been acquiring wealth. The revolutionary situation of Europe, has made them the most exclusive [extensive] Carriers of the Powers at War with Great Britain—their extensive Fisheries and Lumber Trade, with a great surplus of Provisions and other staple commodities for exportation, which they have been permitted, almost without restraint, to carry to Great Britain and her Islands, have filled them with that Wealth the

<sup>16</sup> Efforts made to identify this newspaper article have not been successful.

<sup>17</sup> A report on fortifications which the Secretary of War sent to the House of Representatives on December 8, 1807, records as follows: "Fort Independence, Boston Harbor. A regular, strong, inclosed work of masonry, with magazine, quarters, barracks, and other buildings, commenced in the year 1800 and completed in 1803." *American State Papers, Military Affairs*, I. 223.

operative effects of which are so visible in every direction, that they cannot fail most forceably to strike the eye of even a superficial observer.

In proportion, however, to this appearance of Wealth and prosperity, is the state of suffering they are at present reduced to. Before the Embargo, not a House or Store remained long unoccupied in this Town. It is now computed that there are at least 500 Stores and Houses to let, as the late occupiers of them have been either obliged to go into the Country, or to turn their attention to other pursuits, than those they were engaged in for support. Wharves where immense bustle were visible before, are in a manner departed. Trademen particularly those whose employments depended on Shipping, are suffering very severely. All descriptions of the Country are more or less effected, and you scarcely meet a person who is not complaining: And yet they appear to endure it with a degree of philosophy that is really surprising in a Country where the actions of Men are under so little restraint.

Distressing as is the situation of this country occasioned by the Embargo, it is producing the very best effects as respects Great Britain. Every one feels that he suffers, and he is daily led to enquire, Why he thus suffers, and who are the authors of his sufferings. The unqualified and frank disavowal in His Majesty's speech of the attack on the *Chesapeake*, joined with the temperate expressions contained in the Speeches of the leading Members of our Administration in Parliament, and the general friendly communications of Mr. Rose, are gradually establishing in the minds of people here, the conviction, that Great Britain does not wish to disturb their tranquility: and though as far as respects the point on which the negotiation finally terminated, they seem to have a general coincidence in opinion with the President, yet I am satisfied that the wish is general, that some compromise could be adopted; and on general politics they appear more disposed to blame their own Government than ours.

Great as are the distresses of the merchants here, they are trifling to what they have suffered at New York, where Bankruptcies are innumerable, and to immense amount. Only three or four failures have taken place here; and those not of much magnitude. Great quantities of British Goods are to be seen in the innumerable stores in this Town. As the intercourse is stopped by the Embargo, these goods are rising, in some instances from 10 to 20 per cent., and I am satisfied that as far as respects the debts due here to British Merchants, there will not ultimately be much loss. The most general distress in this State, has taken place at Portland (formerly Casco Bay). This Settlement has carried on an extensive Lumber Trade with Liverpool, besides its supply of Fish and Lumber to the West Indies. They were rising most rapidly from the credit of the British Merchants, and pushing their Enterprises beyond the extent of any capital they had acquired, and to the very utmost extent of the Credit they could obtain,—the Embargo has paralyzed all their efforts, and involved them, with very few exceptions, in one general state of ruin and bankruptcy. All the Commercial Towns in this State have more or less suffered by this ruinous measure, but, none to the extent that Portland has done.

Your Excellency will perceive by the Papers, that though Governor



Sullivan has succeeded in his Election,<sup>18</sup> yet that he will carry it by a very trifling majority, and when the respectability of the Party which opposes him is taken into consideration it affords to their opponents no real ground of triumph: For in mixing with this Community it readily strikes every one that the wealth, talents, and national ideas of Government centre almost exclusively in the federal Party. A large proportion of the Democrats, with whom I have freely conversed, appear as much opposed to the present measures of the Government as their opponents, but considering Governor Sullivan as the head of their party here, they have exerted themselves to effect his re-election, lest his failure, should involve the party in disgrace. But though it is considered from the Votes returned, that the re-election of Governor Sullivan is certain—yet the Federalists have succeeded in obtaining a Federal Senate, and a great increase of Federal Members in the Lower House. And they consider this as establishing such a check on the measures of the Democratic Party as will paralyze, if not defeat them altogether. On the whole therefore, the Elections have afforded triumph to the Federal Party, which the ruinous effects of the Embargo are every day strengthening. The irritation against Great Britain is fast wearing off, and the most anxious wish appears to be a renewal of the commercial intercourse between the Countries. If therefore the Business of the *Chesapeake* was once removed out of the way, and some mode could be adopted to discriminate between the Seamen of both Nations, I believe a greater cordiality would soon take place than at any period since the Revolution. The present suffering of this Country, though a temporary inconvenience, will, I am convinced, be ultimately very beneficial to Great Britain. They feel how necessary her friendship is to their prosperity. A large proportion of them begin to reason justly of the motives of self-defence which induce Great-Britain to issue the restrictive orders she has done; and they appear much alarmed at the increasing Power of Bonaparte.

In the Papers I have the honor to enclose, your Excellency will perceive that the original measure of Embargo has been followed by a multitude of other restrictive Acts, to make this destructive measure more general and effective.<sup>19</sup> These additional Acts have been occasioned by a knowledge, that at New Orleans, Passamaquaddy, and the American Territory contiguous to our Settlements in Canada, Flour and every Species of American produce were finding their way to the British and Spanish Territories. Instead, however, of these Acts producing the smallest check to the exportation of those Articles which we need, the Trade to Passamaquaddy, has been almost the only trade carried on since I have been here, and the Quantity of Flour and other Articles shipped there have been immense. A few days ago the Custom-House, after receiving the last restrictive Act, took back the Papers from two or three Vessels that had cleared out from Passamaquaddy. This excited a Clamour against the Collector, as the owners in making their Shipments, had not, as yet, violated either of the Embargo Laws, though the nature of the Shipments, and the place to which they were going, left no doubt as to the Market they were designed for. I have

<sup>18</sup> James Sullivan was re-elected governor of Massachusetts in April, 1808, by a good majority, but with a small Federalist majority in the senate and house of representatives.

<sup>19</sup> Acts of January 9, March 12, and April 25, 1808.

had many questions asked me relative to this Trade by Merchants here, who have great Stocks by them, and are suffering severely. As the Shipments made to Passamaquaddy, have drawn the attention of the Government to that Quarter, I have advised them to make their deposits on other parts of their extensive Coast, where no alarm is excited. They have taken this hint, and I am convinced that Shipments in all directions, and of every Species of Articles that our Government may think it necessary to encourage the importation of, will find their way into our Territory. While Congress remained in Session, a hope was entertained by the Merchants here, that the Embargo would be taken off, and the majority of them were patiently enduring the evil, in hopes it would not be of long continuance. But as Congress has now adjourned until November,<sup>20</sup> and there are on Hand immense quantities of Fish which will perish as the warm weather comes on, I find within these few days that many of them have begun to pack dry fish in Hogsheds, and are determined to find means of sending it to a Market. Many individuals who have these perishable articles on hand, will be ruined if they do not take these measures to extricate themselves; and were there a thousand Embargo Laws, they would have no effect in restraining them. On the whole, I am satisfied there are no Articles of Provision, nor any Species of Naval Stores which this Country produces that may not easily be procured, if it was once known, to what extent they could be admitted into our Colonies,<sup>21</sup> and what facility and security could be given to enterprising men here, who would exert themselves to introduce them.

As far as respects military preparations in this Country, there are none whatever. In the early part of the late Session of Congress, the President recommended calling into actual Service 25,000 Militia and the raising 6000 regular Troops. After much discussion, and a variety of projects for carrying these measures into effect, Congress has at last, negatived the proposal for calling into Service the 25,000 Militia. A Bill has passed for raising the 6000 men, and recruiting parties are daily expected in the New-England States; but the best informed men here, assure me, that very little progress will attend their exertions in this quarter. It is generally looked upon as a very unnecessary measure, and there is none of that enthusiasm here, that would be calculated to contribute to its success. Those who are most sanguine as to the success of the recruiting Parties, do not think it possible to raise the 6000 men contemplated within a year. It is supposed the President, who appoints the Officers, has more in view by the exercise of his patronage, the increase of his Party, than any other object whatever. There is therefore as far as respects hostile preparations, nothing taking place in this Country, at present, to excite the smallest alarm in His Majesty's Government; and as Congress is now adjourned to November, there are no material measures that can be adopted, that could have any effective tendency.

The Presidents real object in the Embargo, has undoubtedly been to league with France, as far as he dare, in general measures for the destruction of the Commerce and Maritime resources of Great-Britain.

<sup>20</sup> Congress adjourned April 25, 1808.

<sup>21</sup> Orders in Council of April 11, 1808, ordered British naval officers and other officials not to interrupt any neutral vessel which was taking lumber or provisions to the British West Indies.

But as Philosophers in general make wretched Politicians, so has he totally miscalculated his measure and the effects it would produce. In his endeavours to injure Great-Britain, he has reduced this Country to the utmost state of suffering. These sufferings will increase as long as the Embargo continues, they have already greatly influenced the Elections, and if no new circumstance of irritation takes place on our part, and His Majesty's Government steadily and quietly pursues its present system, I am convinced the most beneficial effects to both Countries will ultimately result.

I have been at Marblehead and Salem. These Towns are much divided in their politics. At Marblehead their extensive Fishery is all at a stand, and the Vessels usually employed in it, laying useless in Port. Two Companies of Militia Artillery were under Arms, the day I passed there, it being their training day. The Officers affect an imitation of the French in their Uniforms; but the general appearance of the Companies, had nothing whatever about them, to excite any other than risible sensations. Several Militia Companies have paraded since my arrival in Boston: But the best of them appear to me inferior to the Militia Light Infantry Company of Halifax.

At Salem a great number of valuable Vessels are laying at the Wharves—Business of all kinds totally suspended, and in passing the whole extent of the Margin of their harbour, I could scarcely find a seaman. They have gone among their friends in the country. Very few who have the appearance of British Seamen are to be seen either here or at Boston. This Town is filled with India goods. The Trade which Great Britain has allowed them at Calcutta, and other of our Ports in India, and their Trade with China, and the North-West Coast of America, has made them generally rich. No bankruptcies have taken place here, in consequence of the Embargo, nor are any expected. There is no Sea-Port in this State where there is a more general appearance of wealth, and where the Merchants are so completely independent.

I would have visited the State of New-Hampshire, but being satisfied from the best information, that there were no Military preparations there, or in any part of the Eastern Country, and nothing to excite the attention to any of your Excellency's objects, I thought such a journey would be useless, and have therefore omitted it.

As the information from Washington after my arrival here satisfied me that I could not reach it before the rising of Congress, I thought it better to linger here until the *Emulous* was ready to return to Halifax.

Besides these observations which I have in a desultory manner committed to paper as they occurred, your Excellency will find a general state of the Politics of this Country in the Papers and Pamphlets enclosed. Among these Mr. Pickering's<sup>22</sup> and Mr. Monroes<sup>23</sup> Letters have produced very general and valuable effects. There are in the Federal Papers many excellent observations, and those Papers are generally supported by the Wealth and Talents of the Country.

<sup>22</sup> *A Letter from the Hon. Timothy Pickering, a Senator of the United States from the State of Massachusetts, exhibiting to his Constituents a View of the Imminent Danger of an Unnecessary and Ruinous War, Addressed to his Excellency, James Sullivan, Governor of the State* (Boston, March 9, 1808).

<sup>23</sup> Monroe's letter of February 28, 1808, to the Secretary of State. *American State Papers, Foreign Affairs*, III. 173.

I shall now proceed without delay to the Southward, and shall not fail to communicate to your Excellency, every thing that occurs, worthy of Notice, from any place where I can, with safety transmit my Letters.

I cannot however close this Letter, without noticing to your Excellency, that I have experienced every attention from Mr. Allen,<sup>24</sup> the British Consul here, that I have found him active and intelligent, warmly attached to Government, and that your Excellency may at all times with confidence rely on his zeal and ability.

I have the honor to be

Your Excellency's

Most obedient

Humble Servant

JOHN HOWE

[Endorsed:] Boston 5th May 1808

Mr. John Howe

in Sir George Prevost's

20th May 1808

Original.

#### IV. HOWE TO PREVOST.

Extract of a letter from Mr. John Howe dated New York, 31st May 1808, to His Excellency Lieut. General Sir George Prevost.

I lost no time after closing my last letter, in proceeding through the Western part of the State of Massachusetts and thro' the State of Connecticut. Though no very material circumstances arrested the attention in this progress, yet I was highly gratified in meeting with people in all directions, and of all descriptions manifesting a most decided wish for a reconciliation with Great Britain, and reprobating the measures of the President. His Embargo pinches alike the Farmer and the Merchant. If I was gratified in finding such a disposition in Massachusetts, this gratification was much increased as I progressed through Connecticut. Here they speak upon the subject with a degree of boldness that astonishes me, and many of them even lamenting publicly that ever they were separated from Great Britain. Their Elections this year, as they have been, are decidedly Federal. Great pains have been taken to fix democratic printers in the principal towns in Connecticut, to change if possible the public opinion: but the general opposition to them has been so great, and they have been so severely prosecuted for libels, that they have soon been obliged to transplant themselves to a more congenial soil.

Another artifice to corrupt these people, is to introduce French Schoolmasters in the Country Villages where there is any considerable population, under a pretence of teaching the French Language. One of these was attempting to fix himself at Litchfield when I was there. But the honest indignation of these people soon convinced me, the French will never become the universal language there. This idea of making the French language universal, which was suggested by Colbert, the Minister of Louis 14th, is pursued by Bonaparte with great zeal in this country. A plan for the more expeditious teaching of this language, has been lately sent free of expense through all the Post Offices in these States. It was shewn to me by one of the Postmasters, and among

<sup>24</sup> Andrew Allen, grandson of Chief Justice Andrew Allen of Pennsylvania.



other extraordinary ideas, peculiar to Frenchmen, it states, that the design of this plan was "*to bring the French language home to every man's door*". What rendered the forwarding of this plan, free of expense, through the Post Offices, more noticeable to me, was that it was easy to see in it the readiness of the Executive of this Country to forward the most extravagant wishes of the Emperor of France. For there never was a country, in which Executive influence had shewn itself so plainly, as in the establishment of the Post Office. All the Federal Postmasters have been turned out, and the whole correspondence of the Country placed in democratic hands, and I find cautious people here, are many of them afraid to trust political communications through them. Frenchmen may however not only trust them, but the most extravagant plans of their Government be disseminated through the Country free of Expense.

The Emissaries of Bonaparte are numerous in this country and the extreme licentiousness with regard to Government, which prevails here, furnishes them frequent opportunities to do mischief. By Emissaries like these, has he everywhere prepared the destruction of the Nations of Europe. And yet it seems as if nothing will effectually open the eyes of Men to the mischievous subtilty of his proceedings.

There has nothing turned up since my arrival in New York deserving of notice, except the burial of the bones of persons, who during the time His Majesty's Troops had possession of this city, were buried at the Wallibout. These bones consisted of some of our own Troops and Sailors, and occasionally some of the men who died out of the Prison Ship. The Bank having washed partly away uncovered some of the bones. The Democratic party, as an Electioneering trick, and to revive the ancient enmity to Great Britain, seized upon these bones, as belonging to American prisoners, who through cruelty had perished on Board the Prison Ship. These Patriots set to work with zeal, and actually dug up as many bones as have filled 13 Coffins, and with the most ridiculous parade, after proceeding through the principal Streets of the City, as Your Excellency will perceive by the Papers, crossed Brooklyn Ferry, and proceeded to the place of interment, where they closed the Farce with prayers and orations equally profane and ridiculous.<sup>25</sup> Few persons of real character attended this cavalcade, though it suspended all business in the City for the day. The Governor<sup>26</sup> expressed to his friends his disapprobation of it, but was obliged to join the Farce or sacrifice his popularity. General Morton who commanded the Troops on the occasion, was I understand equally averse to it. He had in his general orders on the occasion, which are among the papers sent, endeavoured to take off the edge of this measure, as designed to revive animosities, which ought to be forgotten.

When I observe the licentiousness of this country, their continual recurrence to Elections, the manner in which all the Officers of the Government are obliged to cringe for popular favor, which gives and strips them of all their consequence in a moment, I cannot help experiencing the most pleasing sensations on reflecting that I am a subject of Great Britain, whose inestimable constitution, defines and secures the rights of all descriptions of Men, and the Acts of whose dignified execu-

<sup>25</sup> See *An Account of the Interment of the Remains of 11,500 American Victims to the Cruelty of the British* (New York, 1808).

<sup>26</sup> Daniel D. Tompkins.

tive, originate with a Sovereign, who loves and is the Father of his People.

In my letter of the 5th, Your Excellency was apprized of the great change in political sentiments which the Embargo was operating in Massachusetts. By the papers I now enclose, it will be seen that this change has already produced effects more rapid than I contemplated when I left Boston. That both Senate and House, have become decisively federal, and that they are already adopting resolutions of the most plain and decisive nature. Mr. Jefferson has plunged himself into such a situation, he dare not suspend the Embargo: for though Congress passed a Law to give him a suspending Power he refused his assent to the Act,<sup>27</sup> and nothing can be clearer, than that if he does not do the Act away by some means or other it will totally destroy both his influence and that of his party.

[Endorsed:] In Sr. George Prevosts  
18 June

#### V. HOWE TO PREVOST.

Extract of a Letter from Mr. John Howe to His Excellency Lieut. General Sir George Prevost, dated New York 7th June 1808.

On my arrival at New York I found the election for the City had terminated, and unfavorable to the Federal Ticket.<sup>28</sup> And though complete returns are not yet made throughout the state, there is reason to think there will be a majority in favor of the Democratic party. Yet it is gratifying to find that the operation of Mr. Jefferson's Embargo measure has not been without great effects here, by the comparatively small majorities with which these Elections have been carried in many districts, and the entire change of sentiments which have been manifested in others. And it is the opinion of well informed men, that if these Elections could have been delayed a month or six weeks, they would have terminated very differently from what they have done. One great and fatal effect on the elections in this city, arises from the immense number of foreigners among them. These men acquire power to Vote after a residence of five years. Among persons of this description are nearly 7000 Irishmen, who tho' many of them have been here but a short time, make no scruple to come forward and sware for each other. Emmet<sup>29</sup> is at the head of these men, and is their prime mover and conductor. There is an Irish Society to which they generally belong, one of the rules of which is, that every member on pain of expulsion, shall follow implicitly the political sentiments of the Society. Every days experience shews, that men who will be restless and intriguing under one Government, will be so under every other. A great part of the Intrigues which agitate this country, originate with men whom the Nations of Europe have been compelled to spue out from among them, and wherever they get a footing, they will be a perpetual source of disease to the body politic. Their having obtained footing in this country is openly lamented by the best men here: but they have become so numer-

<sup>27</sup> An error. See p. 91, *post*, and note 32.

<sup>28</sup> DeWitt Clinton had just carried the city in support of the administration. In the state no election for governor was to take place this year.

<sup>29</sup> Thomas Addis Emmet (1764-1827), a brother of Robert Emmet.

ous they do not know how to counteract the mischiefs they are continually effecting. Another evil which has attended their Elections here, has arisen from the following circumstance. When the democratic party a few years ago obtained the ascendancy, they found a number of the Counties so decidedly federal, that they carried a law in the legislature for a new division of Counties, and in this way they mixed where they had a super-abundance of democrats, some of these in the federal districts so as to over balance the party and establish more generally their power, and in order to accomplish this object, they have effected the most unnatural division of counties that could possibly be imagined. I mentioned to your Excellency in my letter by the *Emulous*, that the only measure of a Military nature, which Congress had agreed to, was to raise 6000 Regular Troops, and that recruiting parties were expected at Boston. Since my arrival here, I find that all that has as yet taken place, to carry this measure into effect has been the appointment of the Officers by the President. No Officers have yet come forward to recruit, and it is now very probable that the season will elapse before anything effective is done in the business. Various plans have been projected for fortifying this harbour, but nothing is doing towards it, except some further works which are constructing on Government<sup>30</sup> Island, where they intend erecting a block-house. The general opinion here is that all they are doing is a perfect waste of the public money. I visited a few days ago their Navy Yard. I found here the *Constitution* one of their largest and best Frigates. They have been stripping her sides to the water and have again planked her up, and I imagine in two months she may be fit for sea. I am informed by a gentleman on whose information I think I can rely, that when she was paid off here and her Men discharged, there was not twenty American sailors belonging to her, that her whole crew with the exception of a few other foreigners, was entirely composed of british seamen. Besides this frigate there were lying at the Yard two or three Bomb Ketches, and there are also lying there, and in different parts of the harbour about twenty Gun boats, which appear to me much to resemble our Bermuda Cutter-Schooners, though I think them in size and appearance much inferior to them. These Gun boats are a just subject of ridicule to Men of sense of all parties here. There are Cannon in the Navy Yard for the equipment of three or four frigates. There is also in this Yard laid the keel of a 74 Gun ship, but no steps are taken for her completion. About 100 Marines were under Arms, and exhibited a very soldierly appearance. The Fort on Governor's Island has a garrison of about 60 continental Soldiers, and this is everything of an established Military nature to be found here. Several Regiments of Militia have at times been under Arms since my arrival here, and a company of Light horse. These have been dressed in Uniforms and appear in better order than any Military Exhibitions I have seen in any other part of the States. In the gaudiness of their Uniforms, and in their manner they have a wonderful disposition to imitate every thing French, and if they have not the military talents of that nation they certainly shew they are not behind hand with them in vain or tinsel quality. The French Privateer which lately took the *Duke of Montrose*' Packet in the West Indies is now here and refitting. She mounts 8 Guns, besides a large Gun in the centre which works on a traverse. Two gentlemen have arrived here

<sup>30</sup> Governor's?

from Philadelphia, and entered a prosecution against the Captain for his piratical proceedings, and they have actually succeeded in getting him into Gaol. He has offered Bail, which they have refused to accept, and it is said he must remain in Gaol until their Court sits in November. Several of these french privateers have been lately on their coast, and it would be a gratifying circumstance to the federal party here, if our Cruizers could pick them up. One lately sailed from Philadelphia and was permitted to take away a considerable quantity of flour and other Articles, which are refused to every other nation.

Every step I take in this country, and the various conversations I have had with men of opposite Sentiments in it, convince me more and more that the termination of Mr. Rose's mission without effecting its object was the most fortunate circumstance that could have occurred. My reasons for this opinion are as follows—

1. Had the satisfaction offered by our Government through Mr. Rose have been accepted, and the Embargo in consequence removed, such is the extreme pressure of this measure, it would have been every where received as the greatest boon, and would have added in the greatest degree, to the popularity of the present Administration. It would have insured to Mr. Madison the Election to the Presidency, and the continuance of the same system that is so ruinous to this country, and so injurious to Great Britain. And they shew these propensities in all their public Acts: and they would shew them plainer were they not afraid of the Sovereign people. It is therefore the manifest interest of Great Britain that Mr. Jefferson and his confidential friends should be removed from the Administration of this Government if possible.

2. By the rejection of the satisfaction as tendered by Mr. Rose, Mr. Jefferson and Mr. Madison put their popularity to the test of public opinion. And there was a time in this country when a degree of popularity did attach to this Government for the part it had borne in the negotiation. In conversing with Federalists or Democrats, I find a universal accordance in opinion, that in the correspondence between Mr. Rose and Mr. Madison, the strength of the argument on which the point ultimately turned, was with Mr. Madison, and that he had in his reasonings discover[ed] more ability than Mr. Rose. And if our Government could have been persuaded either by Mr. Madison's reasonings, or by his non-importation or Embargo Acts to relinquish the point of honor in question, the pride of all parties here would have been highly gratified. But when the sophistical reasonings of this Government were thrown out of the question, as they have completely done by their favorite measure of the Embargo, which they affirmed would soon bring Great Britain to her senses by starving her Manufactures, and her West India Islands; since it has fully appeared that none of these wonderful effects have been produced by it, the popularity of the Administration has been on the Wane, and it is now nearly reduced to a certainty that Mr. Madison will not be the President. Whatever lack of argument is therefore to be found in Mr. Rose's communications (and I own I think them in several respects very deficient) this ruinous measure is superabundantly supplying. It is that *Argumentum ad hominem* which seizes the man with irresistible force, and bears down all before it. Upwards of 80 houses in this city have already been reduced to bankruptcy by it. 500 Sail of Vessels, the greater part Ships and Brigs, are lying useless by the wharves of this City. The ruin of thousands yet hangs by this de-



structive measure. The Merchant is hourly complaining. The Farmer is complaining. The Mechanic and Labourer is complaining. The Car-men of this City which are a very numerous body are loudly complaining. In short this evil entwines itself around every body, and every body is railing at the Embargo. They have got into a scrape, and they see no way to get out of it. And yet to do the people justice they have borne their sufferings with much philosophy. But if Mr. Jefferson continues this experiment a few Months longer it will to a certainty prevent the Election of Mr. Madison, and introduce at least some change in the present system. And almost any change of them would be more favorable to Great Britain than the continuance in power of the present rulers. For though I have no opinion of some of the other candidates who are striving for the Presidency, yet if they are brought into power by the pressure of the Embargo on the public feelings, they dare not risk their popularity with the Sovereign people by continuing it. Another reason which would render the introduction of new Men desirable, is that the present men have largely committed to paper their public opinions, and men get so insensibly wedded to opinions once so expressed, that it is difficult to overrule their prejudices. New Men would not labour under that difficulty; and if they were men of sense and political observation, they would not be very desirous of pressing measures which had involved their country in misery, and which measures were predicated as doctrines, which our Government have again and again declared to be inadmissible. Should a change of men and measures take place in this country, and which their present sufferings render highly probable, I do not conceive that any material injury would occur in adjusting the very point on which Mr. Rose parted with this Government. For it seems to me that this might be done by letting our disavowal of the affairs of the *Chesapeake*, and the withdrawing the President's proclamation take place at the same time precisely. And that an idea of this kind occurred to Mr. Madison, is evident, by the following Extract from his correspondence with Mr. Rose, where he says, "But adhering to the moderation by which he has been invariably guided, and anxious to rescue the two nations from the circumstances under which an abortive issue to your Mission necessarily places them, he has authorized me in the event of your disclosing the terms of reparation, which you believe will be satisfactory, and on its appearing that they are so, to consider this evidence of the justice of His Britannic Majesty as a pledge for an effectual interposition with respect to all the abuses against a recurrence of which the Proclamation was meant to provide, and to proceed to concert with you a revocation of that Act, bearing the *same date with the Act of reparation* to which the United States are entitled". And I am fully of opinion, that such a change is operating on the public mind here, as will in a few Months lead to such a change of Men and measures, as will render a reconciliation between Great Britain and this country easily attainable upon the footing of that perfect self respect which alone can render a reconciliation permanent or desirable. There is no Man who reads attentively the numerous charges brought by Mr. Madison in his correspondence with Mr. Rose, and the insolent pretensions urged, not only in that correspondence, but in all the public papers, which have come from the pen of Mr. Madison, but must be convinced that no real reconciliation could have taken place even if Mr. Rose had accomplished the particular object of his

Mission. Never was there a measure of our Government more deserving of the thanks of the nation, than the late proclamation, declaring His Majesty's determination to take our Seamen from Merchant Vessels, whenever we can find them. And this determination neither Mr. Madison or Mr. Jefferson will ever forgive. It has at once struck at all their insidious reasonings on this important subject, and stripped them of the means of injuring our Naval Strength, which their servile accordance with the Wishes of Bonaparte, has led them unceasingly to rush to accomplish. It was a great pleasure to me as I traversed the New England States, to find a general disposition to relinquish these pretensions, and to admit the justice of the reasons, on which our Government reclaims its subjects. At Salem particularly I not only found them acquiescing in our right, but they assured me, they had entered upon a practice corresponding with it, by refusing to take any of our Seamen in their Vessels. For when they had done it, they had been frequently been taken out by our cruisers, and their Voyages thereby marred. As therefore they knew they had no real claim to the services of these Men and as they had suffered a real injury by taking them, they were determined to confine their crews, to their own people.

I find many here who do not pretend to deny our right, but who would have been highly gratified if Mr. Madison's sophistry on this important subject could have prevailed. A subject of so much importance that I sincerely hope that our Government will never again suffer it to be brought into discussion. This leads me to another reason why Mr. Rose's mission is of benefit to the nation.

3. While the negotiation was pending, there were in this state and the other Southern States thousands of British Seamen whose services were lost to their country: And they would have continued lost to their country, if the negotiations had succeeded. For this Government never would in sincerity have lent its aid for the recovery of them. Since the Embargo which has thrown them out of employ, they are getting away from this country in every Vessel they can, to His Majesty's dominions, and I am convinced, if the Embargo continues Six Months longer very few of them will be found in this country. As an attention to this important subject was recommended to me by your Excellency in consequence of a Letter from Capt. Douglas, I shall make a separate communication to your Excellency, in which I shall point out the best means that have occurred to me, for giving facility to this object.<sup>31</sup>

4 This country has long both rulers and people entertained an idea, that Great Britain and her Colonies, particularly her West India Colonies, could not do without them. And so fully was Mr. Jefferson possessed with that idea, that he conceived his foolish embargo measure, would inflict such an injury on us, as would soon compel our Government, to give up the order relative to seamen, the respective orders, founded on the Milan decree to punish without enquiry any of our Officers whose conduct they saw fit to call in question, and in short that it would compel the nation to relinquish its sovereignty on the Sea, and to become as contemptible as they would delight in rendering her. In this expectation, and to co-operate as far as they dared with Bonaparte, in his attempts to destroy the Commerce of England this Embargo was laid. That these were the manifest intentions of this Government, every man of sense here readily admits. But every mischief Mr. Jef-

<sup>31</sup> See no. VI., *post*.

erson calculated, as it respected Great Britain, has been averted, and the whole pressure of this mighty evil is every day operating with increased effect on this devoted Country, and will each day bring its effects closer home to him and his coadjutors.

In our happy Colony of Nova Scotia, and our neighbouring colonies, we have been long complaining, that our fisheries were injured by giving to these people the free intercourse they had with our West India Islands. We have constantly affirmed, that as far as respected fish, our settlements and those of Newfoundland could furnish all that was necessary. These people have denied this, and our West India Planters, have joined in the clamour. This Embargo is giving an opportunity to try the experiment, and I have no doubt, but the exertions of our Fishermen, and Merchants will prove what we have contended for to be correct.

They appear much mortified here, when I tell them, that we consider the Embargo a great blessing in Nova Scotia, and that we think the Bill should have been entitled "An Act for the better encouragement of the British Colonies in America".

They frequently ask me very anxiously, if I do not think her Government will soon be induced to take off the restrictive decrees, if our Manufactures are not suffering very severely, if we are not starving for Flour in the West Indies. I assure them very gravely that our Manufacturers have new sources open to them in the trade to the Brazils, St Domingo and other Channels which our Navy is continually opening, that the restrictive decrees will not be removed as long as the cause exists which produced them, that flour is flowing in every day, not only for our own wants but for exportation, That I am convinced our Government will give them no interruption, and that they will be left as long as they please to amuse themselves with their Philosophical Embargo Experiment. They are becoming every day more and more convinced that Great Britain and her possessions can and will do without them. That though it is confessed they take off a considerable quantity of our Manufactures, yet that the raw Materials we have been accustomed to take in return, we can procure elsewhere; and if by a long continuance of the Embargo, we all [are] compelled to seek to other countries for them, it may so alter the course of trade in these respects, as to make it very doubtful if it will ever again return to the same channel. Their Southern Cotton, which found so excellent a Market in Great Britain, and the Sales of which was making such rapid fortunes to the Planters in Georgia and the States contiguous, would not a few days ago produce at Auction Ten cents per pound, when the Merchants here assure me, before the Embargo it found in the City a ready sale at 24. The prices of all Articles we have been accustomed to take from them, are reduced in nearly the same ratio. Besides the injury the Embargo is daily heaping on this deluded people, all the accounts received here from the French Islands shew that they are reduced to extreme distress for want of provisions. At Guadeloupe flour was 90 dollars a barrel and hardly to be procured at that. So that the measure which was to ruin England, turns out a source of great and universal affliction to all Mr. Jefferson's dear friends whom he intended should be benefited by it. There is no doubt now entertained by any person here, but if they knew how to effect it, their Government would be glad to get rid of it. Congress passed a Law to empower the Presi-



dent to suspend this Act. It had been generally supposed that the President had refused his assent to this Act—he had hesitated about it, but it now appears he finally agreed to it; and the day I closed my last letter to Your Excellency it first made its appearance.<sup>32</sup> But this Act is not calculated to remove the difficulty, as the power to suspend the Embargo Laws rests solely on the previous removal of the restrictive decrees of England and France. And sincerely do I hope that no step will be taken by our Government to help Mr. Jefferson out of this difficulty. Our Government can at present do nothing better than to look quietly on, and let Mr. Jefferson pursue his own measures until he is tired of them. And if his patience should not be very soon exhausted I am convinced his *masters, the people*, will at no great distance of time satisfy him that they will not bear such extreme and useless sufferings with impunity. While I express a wish that our Government may take no step to remove Mr. Jefferson's present difficulties, I at the same time hope, that no new cause of irritation will take place on our part, and that our Cruizers, instead of going to the extent of their orders, may discover as much forbearance as the good of the service will possibly admit of. Any more irritation on our part is the only thing that could revive the dying popularity of Mr. Jefferson's measures. If we remain quiet, and his Embargo continues much longer, all will end right at last. It may take some time to remove the disease, but I am convinced the cure will be more radical.

5. The failure of Mr. Rose's Mission has also had the beneficial effect, to give a fair trial of what the people of this country are very fond of boasting of, which is *their Republican Virtue*. And the result of the trial has been to prove it *the Virtue of a Strumpet*, and that Gold, Imperial gold, will with the utmost facility procure the Lady's favors at any time. Congress had no sooner passed the first Embargo Law, than it was evaded. Another and another Law was passed to supply the deficiency of the first, and to prevent its being evaded.<sup>33</sup> Since Congress rose, Mr. Jefferson has found all these Laws ineffectual to restrain the Trade, and he has been issuing out, one angry regulation after another, and sending them to the Collectors, in some of which he has assumed powers which the Constitution does not give him. As the Embargo Laws have had no effect, and his regulations as little, he has at last sent the *Wasp*, with a detachment of Troops to Passamaquaddy, and he has ordered out portions of the Militia on the frontiers of Canada. But all he can do will not keep the Republican Lady honest. Upwards of 50,000 barrels of Flour have been sent away from this City since the Embargo took place. And I am convinced that either here, or in any part of the Union, it would be easy to contract with individuals to furnish anything the country produces, and to send it where it might be necessary. Since the King's last Order in Council, which had only been published here a few day's ago,<sup>34</sup> a Sloop laden with Flour came down the North River in the Night, passed boldly by their Gun Boats, and got to sea, intending to go to our Islands in the West Indies.

In addition to the foregoing observations, I would turn your Excellency's attention to a letter of Mr. Jefferson to the Democratic society of Philadelphia, which you will find in the Evening Post of June 7th.<sup>35</sup>

<sup>32</sup> Act of April 22, 1808.

<sup>33</sup> See note 19, above.

<sup>34</sup> See note 21, above.

<sup>35</sup> Letter of May 25, 1808. Jefferson's *Writings*, "Memorial" edition, XVI. 303.



It is deserving of Notice on several accounts. This democratic Society sent him an Address more than three Months ago, and he has neglected to answer it. But as Congress was not now sitting, and there was no call for him to communicate his sentiments on the present state of things, he has taken this mode to do it. He admits in his exordium that they have fallen into sad times, *times which require vigilance and embarrass deliberation*. These words express a great deal, and shew clearly that the President has fallen into a predicament, from which he does not know how to extricate himself—and this is exactly the situation in which he is placed. After lamenting the defective Virtue of a great part of the Citizens, he hints obscurely at War, but don't intimate with whom, but the language he makes use of has excited the warmest indignation of the Federal party. Your Excellency will perceive some indignant remarks in the paper of the 7th and it will not end here for these remarks will soon be followed by others still more severe. Mr. Jefferson in this Letter also talks of encouraging Manufacturers, as another Tub to the Whale, and to shew that he would injure Great Britain if he could. But all his experiments will not answer. The people are universally becoming tired of them. If he has War in view, he will find the country generally adverse to it. He has let the time go past when he might have plunged them into it, And by destroying the Revenue of the Country as he is doing by the Embargo he is daily diminishing their means to go to War.

[Endorsed:] In S<sup>r</sup>. G. Prevosts

18 June

#### VI. HOWE TO PREVOST.

[Copy]

NEW YORK 7th June 1808.

Sir,

In consequence of the letter which Captain Douglas put into Your Excellency's hands, on the recovery of British Seamen from this Country, and your request that I would consider it among the objects recommended to my attention, I lost no time on my arrival here, in conversing with the British Consul on the subject. I found that he had procured passages for a number of these Men, who had made application to him. He also mentioned that Mr. Erskine had recommended this subject to his attention immediately after the Embargo took place; that finding these men generally more or less in debt at their Lodgings, and having no means of paying those debts, he had written to Mr. Erskine to know how this expence was to be defrayed, and that Mr. Erskine had expressed himself unable to give him any satisfaction on the subject.

This led me to converse with Mr. Moore, the British Agent of Packets, who has given orders to the Captain of this Packet<sup>30</sup> to receive on board about Sixteen of these People; and if any means could have been sanctioned by Government to enable Mr. Moore to pay the debts of others who applied, none of which would have exceeded five pounds, and the greater part not three, I am convinced more than double the number might now have been sent.

If these men are got from this Country in merchantmen, they do not

<sup>30</sup> The *Queen Charlotte*, according to a marginal note in the original.

go into the King's Service as might be wished; but if they could be got away in Packets, the Admiral would have an immediate controul over them. I find Mr. Moore zealously disposed to serve Government in this business; and if Sir John Warren<sup>37</sup> would authorize him while the Embargo continues, to keep one or two Runners among the Tipling Houses here and enable him to pay the small debts of these people, I am convinced it would lead to the only effectual mode of accomplishing this business.

It would also be desirable that Sir John Warren should make some arrangement with the Captains of the Packets as they arrive at Halifax, on their way here, that there may be no impediment thrown in the way by them.

If Sir John Warren will communicate his wishes fully on this subject to Mr. Moore, I am convinced that Gentleman's zeal for the Service will lead him to enter with much industry into every measure which can lead to the attainment of this desirable object.

I have the honor to be

Yr. Excellency's

Most Obedient humble Servant

[Signed] JOHN HOWE

His Excellency

Sir George Prevost Bart:

[Endorsed:] Copy of a letter from  
Mr. John Howe Post  
Master of Halifax to  
Lieut. Sir George Prevost Bt.  
dated New York the 7th June 1808.

No. 3

In Sr G. Prevosts

19 June 1808

#### VII. HOWE TO PREVOST.

PHILADELPHIA, 22d June, 1808

Sir,

After closing my Letters to your Excellency by the *Queen Charlotte* Packet, I proceeded to the State of New Jersey, through which I progressed by very short Stages to this City. I had been led at New-York to suppose I should find the Inhabitants of New-Jersey very generally Democratic, which has been their Character for several years. But I was pleased to find, on mixing with them, that Mr. Jefferson's present measures, had excited great disgust, even in this State, and that whole Districts have so changed from Democracy to Federalism, that a strong hope is entertained by the Federalists, that their Election this year, will terminate in favor of Federal Candidates. What strengthens this hope, is, that their Elections do not take place until September, which will give to the Country more fatal experience of the destructive measures their Government is pursuing, And what will also have a powerful effect is, that throughout New-Jersey, and indeed every part of the Country, there is an appearance of excellent Crops of

<sup>37</sup> Rear-Admiral Sir John Borlase Warren, commanding on the North American station.

Grain, which if the Embargo continues, they will find no Sale for; and this in addition to the great Quantities of last year's Crop now on hand, excites a very strong sensation. For among all the Republican virtues I find in exercise in this Country, the Love of Money is by far the most predominant. On my arrival in Philadelphia, I found them bussily employed canvassing for the Election of State-Officers. In order to have an effect on these Elections, Duane the Editor of the *Aurora*, is seizing every circumstance that offers, which can in the least excite irritation against Great Britain; and among other predominant measures for this purpose, this Man, who is a Major in the Militia, has with some other violent partizans, induced a few companies of the Militia, the greater part of which are composed of Irishmen, to turn out this day, to celebrate the Battle of Monmouth, and the attack on the *Chesapeake*.<sup>38</sup> These Companies proceeded this Morning in Boats to Frankford, to exhibit there a Sham Fight, in which the British Troops are supposed to be defeated. This Celebration is a Counterpart to the Burial of the Bones at New-York. But it is by all discreet, well-disposed persons here (and this body I am happy to say is very numerous) looked upon with disgust. Federalism has greatly increased in this State; and there is strong reason to hope that Mr. Ross, the Federal Candidate, will be chosen Governor.<sup>39</sup> Their Elections in this State do not take place until October; and this is looked upon here as a very favorable circumstance, as the operation of the Embargo, will, before that time greatly strengthen the hands of the opposers of Government. All accounts from Washington agree in the opinion, that the Embargo will not be relaxed, but continued with all the vigour the Government can exert to enforce it. Mr. Jefferson, and the Heads of Departments are now convened at Washington. Mr. Gallatin, who had been at New-York, went through this City two days ago, on his Route to Washington. And Mr. Erskine, with whom I dined yesterday, informs me he shall proceed to Washington in Ten or Twelve days. He is anxiously waiting here the arrival of his Dispatches by the May Packet; and should they arrive within a few days, he will, in that case, proceed immediately to Washington. Nothing of National Consequence has turned up here, since the close of Mr. Rose's Mission; and so completely did every thing relating to that Mission terminate with him, that Mr. Moore, the Agent of Packets at New-York, informed me, that the Government Dispatches directed to Mr. Rose, which arrived after his Departure, he had, by a direction sent to him by Mr. Rose on leaving the Country, returned to England, instead of forwarding them to Mr. Erskine. I shall proceed through the Lower States of the Delaware, to-morrow, on my way to Baltimore, and finally, to Washington. I expect to meet Mr. Erskine, previous to my return to Halifax, either at Baltimore or Washington. The *Osage* is hourly expected with dispatches from England; and as the May Packet is expected also to bring Dispatches of importance, and which may lead to some decisive point, I shall endeavor to linger here, until I can bring to your Excellency some decisive opinion on the politics of the respective Countries. I have found Mr. Erskine very pleas-

<sup>38</sup> The affair of the *Chesapeake* and *Leopard* had occurred on June 22, 1807, the battle of Monmouth Court-house on June 28, 1778.

<sup>39</sup> In the election of 1808 James Ross was for the third time unsuccessful as Federalist candidate for the governorship of Pennsylvania; Simon Snyder, Democrat, was chosen,

ant and communicative. And I trust it will be in my power, on my return, to afford your Excellency every species of information, that can elucidate the politics of this Country, or any possible bearing they can have on the politics of Great Britain or her Dependencies.

On my first interview with Mr. Erskine, I found with him Mr. Nichol, a Gentleman, who had arrived from Upper Canada, with Letters from Governor Gore,<sup>40</sup> complaining of a most violent attack made on Boats belonging to the Michilimakinac Company, by Order of the American Collector in that District. I have since formed an acquaintance with Mr. Nichol, whom I find a sensible intelligent Man. He has, at my request, written me a Letter containing the particulars of this very extraordinary transaction; which I enclose for your Excellency's information. He has dated the Letter as if it had been sent from Niagara to me.

In addition to the Letter from Governor Gore, which Mr. Nichol brought with him, Mr. Erskine yesterday informed me, that he had just received a very pointed Letter from Sir James Craig on this important Subject. Mr. Erskine had an interview with Mr. Gallatin as he passed through this City, and urged that the Boats and their Cargoes should be immediately given up to the Company on Bonds, to wait the decision of the two Governments. This Mr. Gallatin did not think himself authorised to do, and Mr. Nichol is obliged to wait an Answer from Washington, which Mr. Erskine is daily expecting. This circumstance, among others, makes Mr. Erskine anxious to get to Washington; and if the Packet should not arrive in a reasonable time, he will set out without waiting for his dispatches.

I have had much conversation both with Mr. Erskine and Mr. Bond the British Consul here,<sup>41</sup> on the subject of British Seamen. Mr. Erskine, as I mentioned to your Excellency, in my Letter by the *Queen Charlotte*, had some time since written to Col. Barclay<sup>42</sup> on the subject, and he appears to me anxious that our Seamen should, if possible, be got out of this Country. I hope on my return to this City, I shall, if not before, receive an answer to my Letter to your Excellency on this Subject. Mr. Bond the Consul here appears to me to possess much ability and zeal to forward His Majesty's Service in this or any other respect, and will endeavor to seize every opportunity to effect this desirable object. He will, I am convinced, zealously attend to any suggestion, that may be made to him, by your Excellency or Sir John Warren, on this, or any other subject.

I visited a few days ago Fort Mifflin, which commands the entrance to this Harbour.<sup>43</sup> It appears in very indifferent repair—has Twenty-nine 32 Pounders mounted, and 4 small Mortars. The Angles of the Fort against which the operations of the *Vigilant* were directed in the

<sup>40</sup> Francis Gore, lieutenant-governor of Upper Canada, under Sir James H. Craig as governor-general.

<sup>41</sup> Phineas Bond, whose earlier correspondence with the Foreign Office was printed in the *Annual Report* of the American Historical Association for 1896, vol. I.

<sup>42</sup> Thomas Barclay, British consul-general in New York.

<sup>43</sup> This work is described as follows in the report of the Secretary of War mentioned above, note 17: "A regular, inclosed work, with batteries, magazines, and barracks, principally erected in the years 1798, 1799, and 1800, and now in a good state of defence."



American War, still shew very plainly the effects of her well-directed fire. The Garrison of this Fort consists of a Captain, two Lieutenants and 70 Men. All the repairs of the Fort are done by its small Garrison, who complain exceedingly of the niggardly economy of their Government. It would require a large Sum of Money and several hundred Men, for some months to put this Fort into even tolerable repair. Except a few Gun Boats, there is no other Military Establishment here.

Your Excellency will perceive in the Philadelphia Papers enclosed, the Trial of an American Captain here, for an Assault on the French Consul, and on the Commander of a French Privateer. This Prosecution was carried on by the Government, in consequence of an application from the French Ambassador. Mr. Dallas the States Attorney,<sup>44</sup> endeavored to operate on the fears of the Jury, by setting before them the dreadful consequences of offending the Great Napoleon. The decision of the Jury, shewed that they did not participate either in the fears or the wishes of their Government. They acquitted the American of the Assault on the French Consul, and threw on him the Damages. The Assault on the Captain of the Privateer, being acknowledged by the American he was fined 100 dollars for a Breach of the Peace: and this Sum was instantly collected by the Spectators of the Trial. The general feeling on this occasion, was very clearly manifested, not to be in favor either of French influence or of French domination.

As the political aspect of this Country is every day changing, and I think changing for the better, I shall reserve what I shall have further to say on the politics of this State until I return from Baltimore. The Politics of this State are very essential, as it possesses great influence on the adjoining States. The wealth of the inhabitants of this City is very great, and a great proportion of the people are men of the most orderly and quiet habits. The Embargo has produced no failures here of any consequence, though great injury is sustained, and many of its inhabitants subjected to much suffering.

I have the Honor to be

Your Excellency's Most obedient

Humble Servant

JOHN HOWE.

Original.

#### VIII. HOWE TO PREVOST.

(Copy)

NEW YORK August 5th, 1808

Sir,

After forwarding my Letter to Your Excellency of June 22d, I left Philadelphia and proceeded for Baltimore, where I arrived on the 25th. The rapidity with which this City has risen within the last twelve years, to wealth and consequence is really astonishing. The credit of the British Merchant, the benefits of that Trade to India, which Jay's Treaty secured to them, and the adroitness and enterprize with which they have seized all the advantages which the destructive War that has so long afflicted the World presented to them, will soon render this City, as a Commercial one, superior to any to the Southward, except New York. I was therefore induced to tarry here until the 4th July. I found a number of excellent characters here, and who appreciate as they ought, the Commercial benefits they derived from their connection with Great

<sup>44</sup> Alexander James Dallas.

Britain. But I am sorry to say, this is by no means the general feeling. Enmity to our Nation has here arisen to a great and bitter height. I was induced to remain here the 4th July, the Anniversary of their independence, as I was informed there would be a great Military exhibition. Upwards of Three thousand Men were under arms, dressed in Uniforms, and made by far the best Military Appearance, I have seen in this Country. There were among them five Troops of Horse, and several Artillery Companies, which appeared very much to advantage. On enquiry I found that the whole of these Men had been clothed and organized, since the affair of the *Leopard* and *Chesapeake*. The great zeal and frenzy which that unfortunate circumstance occasioned, has been very assiduously kept alive here by two Irish Printers, who possess as much zealous enmity to Great Britain, as Duane, the Printer of the *Aurora*, without his ability. To counteract the Mischief of these Men, and to bring the Public mind once more to a rational view of the benefits to be derived from a friendly intercourse with Great Britain, a Society of Gentlemen have established a Federal Paper, which commenced while I was at Baltimore, and appears to be conducted with so much ability and determined opposition to Mr. Jefferson and the present order of things, that I have no doubt, the most beneficial consequences will finally result. But so deep a hold has the democratic disorder generally taken here, it will require a long course of suffering and reasoning to effect any Material cure. I left Baltimore on the 5th July, and arrived the same evening at Washington. In the Morning after viewing the Capital, which is in a most unfinished state, and exhibits the greatest waste of Public Money, I proceeded with a Gentleman to view their Dock Yard. This I found on a much more extensive Scale than I had imagined, and filled with good and convenient buildings of all sorts. I found lying at this Yard eight Frigates, viz. The *United States* of 44 Guns, the *Essex* of 40, the *John Adams*, *New York*, *Constellation*, *Adams*, *Boston*, and *Charleston* of upwards of 30 Guns each. The *United States* had just undergone a thorough repair and hauled off. The *Adams* Frigate had had her upper works repaired, and was lying keel out, for the purpose of coppering. The *Essex* Frigate had had her sides new planked, and by what I could learn from the Superintendant, it was intended to overhaul and repair seven of these Frigates. The *Boston* was so rotten, she was deemed irreparable. There is also here a fine Brig of 18 Brass Guns. I was mortified to find that the Superintendant of this Yard was an Englishman by the name of Fox, who had served his time at Plymouth, And one of the most ingenious Men I found in this Yard, was also a Scotsman, who had been completing a Model of a Dry dock. Observing a number of men in the Yard, I enquired of the Superintendant, how many were employed—to my astonishment he told me upwards of 500. It would seem by so large a number being employed, a considerable part of which had lately been taken in, that it was intended to repair immediately all these Frigates that may be found repairable; for what purpose a little time must shew. These ships will all need much repair, for they have been left for Years, without covering, rotting and renting [?] with the Sun; for while these People are perpetually talking of Republican Economy (another boasted Republican Virtue), I think I never saw a more profligate waste of Public Money than all the Public Works in this City afford. A number of Gun boats are building in this Yard, though every sensible man, and their own Naval

Officers are continually ridiculing them, as totally unfit for any defensive purpose.

I brought with me a Letter from Philadelphia to a Gentleman at Washington, through whom I expected to have been introduced to Mr. Jefferson; but unfortunately the Gentleman had gone the day before to Alexandria; and as I was anxious to complete my route to the Southward, I thought it not prudent to wait to seek an introduction to him in some other way. Indeed I expected on my return, to have found Mr. Erskine at Washington, in which case I should have gone again to that City. On my leaving Washington, I proceeded to George Town and spent a day about 3 Miles from George Town. I found a Cannon Foundary on an extensive Scale, and I was again mortified to find that this also was carried on by an Englishman of the name of Foxhall. He is completing a contract [for] Cannon for the States, and both his Brass and Iron Guns appeared to me extremely well executed. The day before my arrival at Washington, the 4th of July had been celebrated there; I met on the road to Washington, a Company of Flying Artillery, which had gone up from the Fort at Baltimore, to exhibit before the President. This Company belongs to the Continental Army, and appeared in good order. The President had a great Levy on the 4th July, and as another Tub to the Whale, he had on a Homespun Coat. To hear the Talk about this Coat at Washington and Georgetown would lead to the supposition, that these silly people supposed there was a sort of magic in it, which would work the ruin of the Manufacturers of Great Britain; and I am sorry to say that almost every person, contiguous to the Presidential Palace, and who learn their Sentiments there, most devoutly and ardently wish her destruction. Before I left Georges Town I learnt by the Newspaper, that the *Osage* had arrived; and I determined to proceed to Alexandria, which was only 12 Miles from Washington, and wait there, 'till the Messenger arrived at Washington. The evening of the Second day after my arrival at Alexandria, a Gentleman came on from Washington, who had spent the day after the arrival of Mr. Lewis there with the dispatches. He had had a conversation with Mr. Madison who assured him, that both England and France discovered no disposition to do them Justice, and that therefore the Embargo would continue as before.

Nothing could exceed the public disappointment at Alexandria, where every one had been looking for something decisive by this ship. A Schooner has since been sent to France and England to keep up the same farce, and amuse if possible, the public Mind. I received much attention from Mr. Patten the British Consul at Alexandria, to whom I communicated Capt. Douglas's wish respecting Seamen. He assured me, and on inspection of the Wharves, I found it to be true that there was scarcely twenty Seamen to be found in the place. He said if the Embargo was off, it would take a great length of time to collect Seamen to man the Vessels which are lying ruining by the Wharves. Since the astonishing prosperity of Baltimore, the Trade of Alexandria has fallen off much, although, except Norfolk it is the best Seaport in Virginia. I found a number of valuable people here, but the General Politics are the same as are every where to be found in Virginia. After leaving Alexandria I proceeded to Fredericksburg, and spent a day there. This City suffered much by a fire which took place about a Year ago, which destroyed nearly one half of it. Its Inhabitants may be reckoned among



the hottest Democrats in this State. My next excursion was to Richmond the Capital of Virginia, here though Politics run extremely high, I had much conversation with some of the best informed men in this State. They assure me the Election of President, being by General Ticket in that State, and not by districts, that Mr. Madison will have every vote. If it had been by districts, Mr. Munro might have divided the Votes in some degree. Their opinion of Mr. Jefferson is, that he is a man of talent and of much address, but that he [is] totally devoid of principle, and so attached to France, that nothing can induce him to hold an equal conduct to both Countries. Of Mr. Madison they think better as a Man, but that he is too closely attached to the same Politics with the President, to expect any change of system, if he should be chosen; and that he will succeed in every state to the Southward of Pennsylvania I am afraid is certain. I have in my route had so much opportunity of ascertaining the Sentiments of North and South Carolina and Georgia, that I am afraid the Federalists deceive themselves, in expecting any support from them. They are suffering extremely by the Embargo; but it will require much suffering to open the eyes of these southern People, who have the most bitter enmity to Great Britain, and a large proportion of whom are very unprincipled. I next proceeded by way of York Town to Hampton, at which place nothing occurred worth notice. From Hampton I took Packet and went over to Norfolk, where I arrived in two hours, and had soon the pleasure of an interview with Colonel Hamilton, the British Consul, by whom I have been entertained in the most hospitable manner. I remained four days in this Place and had an opportunity of mixing much with its Inhabitants. They are in general very warm in their enmity to Great Britain, and like the Mass. of Virginians would be gratified at her destruction. But notwithstanding this there are a number of valuable Persons here, who are supporting a Federal Paper, which is laboring with considerable ability to correct the Public Mind, and is I am persuaded gaining ground. The irritation occasioned by the attack on the *Chesapeake* is in some measure wearing off, though it is a continual subject of conversation. The public mind has been kept much inflamed by an Irish printer of the name of O'Connor, who like his Brethren at Baltimore, is laboring to keep up, if possible, the enmity to Great Britain. They are suffering much from the Embargo here; though with all their Patriotism they are watching every opportunity to violate it. The day I left Norfolk, one of their Captains returned from Kingston, Jamaica. This man I had much conversation with. He sailed in a Brig from George Town, with 1,600 Barrels of Flour, cleared out for New Orleans—he said he had met with such bad weather, that he lost both Masts, and had his Rudder unshipped; but very *providentially*, he met with a British Man of War, which took him in tow, and carried him into Kingston. Here he had very *providentially* sold his Flour from 20 to 25 Dollars, and finding his Vessel very rotten, he had got her condemned, and sold her there, and so had wound up the whole concern. He was now on his way to George Town with a long protest, to clear himself of the bonds he had given at the Custom house there; and if they can be persuaded that all these *providential disasters* befel him, he will be off again to Jamaica in six weeks. Besides all the other evils to this Country occasioned by the Embargo, it leads to a continual Violation of Oaths, and to a profligacy of habits, the effects of which, will finally be severely felt in this Country.



I left Norfolk and proceeded up the Chesapeake Bay by Water to Baltimore, where I arrived on the 21st and learnt from Mr. Wood the Consul, who had been at Washington, with Mr. Erskine, that Mr. Erskine had returned with him to Baltimore, and had two days before gone on to Philadelphia. In consequence of which after spending two days at Baltimore, I proceeded to Philadelphia where I arrived on the afternoon of the 24th. On the 25th I dined with Mr. Erskine, and had a long conference with him on the present aspect of affairs. On enquiring of Mr. Erskine the nature of the communications by the *Osage*, and the effects that would be produced by them, I was astonished to learn, that after that ship had been in England some days, and our Government finding no communication made to it by the American Ambassador, that Mr. Canning applied to Mr. Pinckney to know, when he would be ready to make such communication. His answer was he had no communication to make. Mr. Canning with much surprize said, that this ship had been looked for with much anxiety, and that His Majesty's Ministers, alive to the situation of the two Countries, were perfectly disposed to enter into any discussions which could relieve the present embarrassments, and then with much emphasis, asked Mr. Pinckney "Have you received no dispatches which bear on the present situation of the two Countries, and will you not, in consequence, have any communication to make to this Government?" His answer was, "I have received no such dispatches, nor shall I in consequence have any communication to make." And from the day of her arrival to the day of her departure, no communication was made.

Notwithstanding this important fact the Government here, have been holding out most basely, the idea that remonstrance had been made to both England and France, and that both had alike rejected them. The Truth of the case has at length got before the Public and is producing the best effects. This Government, when Mr. Erskine was at Washington, were much disappointed to find, he had nothing from our Government to lay before them. They enquired if he had nothing to submit to them on the affair of the *Chesapeake*? He answered, nothing. They assumed a haughty tone on the occasion, and even threatened him with rupture, if satisfaction on this point was much longer delayed. And Mr. Erskine's mind is strongly impressed with the belief that Mr. Jefferson actually contemplates, and wishes a War with Great Britain, and that an attack on Canada and Nova Scotia, makes a part of his Plan. That Mr. Jefferson, and his Cabinet, wish a War with Great Britain, and that they would delight in the annihilation of the British Nation, I have seen too much evidence since I have been in this Country, for a moment to doubt. But that he can carry his wishes into effect, I much doubt, unless some new subject of irritation, should arise between our two Nations; and I am inclined to think, if Mr. Erskine's ideas are correct, as to his determination to go to War with us, that he will seek such a subject, either through his cruisers, which he has sent out to protect the Embargo Laws, or on the Boundaries of Canada or Passamaquady. For that he cannot, without some new subject of irritation excite generally a War Spirit in this Country at present, I am perfectly satisfied. And I therefore sincerely hope, that while we give every facility to the introduction of their produce, that prudent men will be stationed at those different point[s] of contact, that his hopes and expectations may, in this respect, be defeated. I had much satisfaction in this last inter-

view with Mr. Erskine, and was happy to find as far as respects the present Rulers of this Country, and their unprincipled enmity to Great Britain, there was between us no difference of opinion. When I went to the Southward of Pennsylvania, I proceeded in the hope, that in the ensuing election of President, I should find, at least, so much division of interest, as would throw a part of the Southern Votes into the Scale with the Middle and Northern States, as would prevent the Election of Mr. Madison. But since my Southern excursion, I am convinced that no confidence can be placed on any votes against Mr. Madison to the Southward of Pennsylvania. There is every where to the Southward a gradual Change of public opinion taking place, but it is too gradual to be reckoned upon in the present Election. At Pennsylvania they are engaged in a warm contest, and great expectation is entertained that the issue will be Federal. There is also a great change taken place in the Jerseys, but the issue is still doubtful. In New York, I believe they will generally vote for Clinton, and I believe it would be better that he should succeed than Madison, as it would at least lead to some change of System relative to Commerce; and this State is so highly a Commercial one, that it has a deeper interest in the renewal of Trade than any other State in the Union. Mr. Jefferson considers the Election of Madison as certain; for besides calculating on the Southern interest, which for the reasons I have mentioned, I think he is not mistaken in, he boasted to Mr. Erskine, that Governor Sullivan would negative the whole proceedings of the State of Massachusetts in the Choice of Electors, and so throw that State out of the Scale altogether in the Choice of President.<sup>45</sup> Both Mr. Erskine and myself are at present, for these reasons inclined to think that Madison will proceed, and if he does, it will be a source of mischief to both Countries.

The Accounts which have been received of the late opposition of the Spanish Nation to the tyranny of Bonaparte, have produced much good effect here; and whether the Spaniards succeed in their exertions in Europe or not it will certainly enable Great Britain to establish the Independence of South America, and furnish that employment to our manufactures, which the suspension of the Trade of this Country has in some measure occasioned. It has already had the effect on all parties here, to convince them their Embargo must now be useless—and they are very eagerly hankering after a Trade with South America. This resolution will also have another very good effect. It will put an end to the expectations of the intriguers in this Country, who have all had their projects for the subjugation of the Spanish possessions. And if the friendly intercourse of our Government, and that of South America should be established on a durable footing, South America may be made to form a Barrier between the future scheme of these Southern intriguers. Several French Armed Vessels are now in these States—a Brig at Washington, two Schooners at Philadelphia, and two at Charleston. It would be very desirable, on two accounts, if our Cruisers could pick them up. One is the injury they do to our Commerce, and another is the detection of the baseness of this Government which winks at their going away loaded with Flour and Provisions. The exposure of their hypocrisy is of much benefit here.

Recruiting parties are now parading every City in these States for raising the 6000 Men: but with all their exertions the business goes on

<sup>45</sup> See Amory's *Life of Sullivan*, II. 300–303.

very slowly. But if Mr. Jefferson does not succeed in raising this Army, the appointment of the Officers is answering his purpose almost as well. The Commissions are all given away for the purpose of promoting Mr. Madisons Election, and not a Man except of the Democratic Party can obtain them. I was pleased even in Virginia, where I first heard of Duanne's appointment,<sup>46</sup> to find that all parties were loath to believe it. They thought such an appointment disgraceful to the Army, but he was too necessary a Man in promoting the present Election to be neglected.

I stated to your Excellency in my Philadelphia Letter the attack which had been made on the Boats of the Michiliamakinac Company. Mr. Erskine acquaints me they have been given up with the furs, on bonds, subject to future investigation.

It was my intention to return to Halifax in this Packet; but some Letters I found here from Boston, have led me to think it best to go by way of Boston, as it will enable me to possess Persons there, in whom I can confide, of some facts in which the Northern States are interested, and be a means of increasing the laudible zeal they are discovering in opposition to the base designs of their Government. And I am thoroughly convinced baser Men never administered the affairs of any Country. My return by way of Boston, I do not expect will delay my arrival in Halifax more than a Week after the Packet; when in addition to what I have written, I shall have much verbally to communicate to Your Excellency; and if my excursion shall have tended in the smallest degree to the Service of His Majesty's Government, I shall be highly gratified.

I have the honor to be  
Your Excellency's  
Most obedient  
humble Servant  
[Sigd:] JOHN HOWE

To His Excellency

Sir George Prevost  
etc, etc, etc.

[Endorsed:] Copy of a Letter from  
Mr. Howe, to  
Sir Geo. Prevost  
dated at New York  
the 5th Augt. 1808.

In Sr. G. Prevosts 25 Aug. 1808.

<sup>46</sup> President Jefferson appointed William Duane lieutenant-colonel of riflemen, July 8, 1808.

*(To be continued.)*

## REVIEWS OF BOOKS

### BOOKS OF GENERAL AND ANCIENT HISTORY

*The Encyclopædia Britannica: a Dictionary of Arts, Sciences, Literature and General Information.* Eleventh edition. [In twenty-eight volumes and an index.] (Cambridge, England: University Press. 1910, 1911.)

EVER since the *Encyclopædia Britannica*, at its first reprinting, in 1777, broadened its scope to take in history and biography, the advent of every new edition has been an event of moment to students of history. With each successive edition the historical spirit of the work has become more marked. In 1875 its editor, Professor Baynes, in his preface to the ninth edition, announced its purpose to deal with all subjects from a critical and historical point of view; and the critic and historian who later succeeded to his task, Professor Robertson Smith, was yet more thorough in carrying it out. The "tenth edition", as everybody knows, was only the ninth with a supplement. Its somewhat more statistical and journalistic character may have seemed but incident to the mode of its publication, or perhaps to its management by the *London Times*. But it was from among its compilers that the editor of the eleventh edition, Mr. Hugh Chisholm, was chosen; and the prospectuses which now for months have been flooding us all have prepared us for its much greater expansion of the historical features.

The completed work, now with the exception of the index in all hands, more than bears out these claims. The historical articles are enlarged, multiplied, extended to ages and lands not heretofore counted within the scope of history. Biographical titles are many fold more numerous; and contemporaries are no longer excluded. Nay, all historical narrative, hitherto broken off at a safe distance from the present, is now brought down to the very eve of the year of grace in which we live. Geographical entries rival those of the gazetteers in number and far surpass them in wealth of information. Multitudinous short articles on episodes, institutions, ideas, customs, phrases, justify the subtitle in adding "general information" to the old "arts, sciences and literature". When an article is introduced only to tell us of "Ankle" that it is akin to *angulus* and means the joint which connects the foot with the leg, one wonders what even the dictionary is longer for. In short, the work has become, like the German cyclopaedias, a "conversation lexicon", and the American man of affairs, who was wont to rail at it because it did not answer the questions suggested by his business or his newspaper, will now find it more garrulous than its most versatile



American rivals—aye, devoting more space than they even to American towns and American notables.

But it is not the interests of the man of affairs alone that have been consulted. The student of culture history will rejoice in the larger space given to the story of the arts and sciences. The lover of the court chronicle and of drum and trumpet is so far from despised that dynastic genealogy and the historic peerage receive increased attention, and distinct monographs by military experts cater to the interest in battle and campaign. Indeed, if one have the heart still to be dissatisfied, he will grumble rather at the preference shown the heroes of war and of destruction at the cost of those of peace and good will. Knipperdollinck gets a column, while Castellio has not even a mention. But even the new *Britannica* has limits, and oversights there needs must be. The sciences auxiliary to history come in for generous space—Diplomatic, hitherto dismissed with a paragraph, fills now a half-dozen pages.

Surely all this warrants the claim of the editor's introduction that, "as a work of reference no less than as a work for reading and study, its preparation has been dominated throughout by the historical point of view"; and the student of history will not fail in gratitude. If he be an American, he will surely welcome, as a wise concession to the practical instinct of his people, what has not inaptly been called the "Americanization" of the work. But, if he be a true scholar, he must ask whether all this has been gained without cost to those high qualities which have made the *Encyclopædia Britannica* so long the pride of the whole English-speaking world. Is the new edition as largely the signed work of trained and recognized scholars? Are these so largely as hitherto the most eminent in their respective fields? Have the articles retained from earlier editions deserved to be so, and have they been thoroughly revised by their authors or by specialists as eminent as they? Are the unsigned articles worthy of their place beside the signed; the short, so multiplied in this edition, of their place beside the long?

Thus tested, the new *Britannica* will not be found above all criticism; and, though it would be presumptuous for any one student to venture a verdict upon the whole body of its historical work, it can hardly be rash to assume that defects which reveal themselves to the careful study of even a single student are more or less characteristic of the whole. A glance through the list of contributors might indeed appall the boldest critic. It is a portentous array of the scholarship of Great Britain and her colonies, with a notable sprinkling from the Continent and from America. France contributes Duchesne and Luchaire, Bémont and Esmein, Longnon and Valois, Pfister and Poupardin, Alphantéry and Thomas, Prinet and Wiriath; Germany, Eduard Meyer in ancient history, Hashagen in modern, Hauck and Mirbt, Kraus and Pastor, in that of the Church; Belgium, Father Delehaye; Holland, De Goeje; Bohemia, Count Lützow; Servia, Mijatovich; Russia still fur-

nishes Prince Kropotkin; Italy, Luigi Villari to take his father's place. From America, apart from American themes, which naturally fall in great part to Americans, the number in history is not large; but they are well chosen, and Americans may well be proud of the importance of their assignments and the quality of their output—the magistral article on Feudalism by Professor Adams, Professor Robinson's on the Reformation, masterly in its reach and grasp, Professor Knox's fine survey of Christianity and Professor McGiffert's of the early Church, Professor Jastrow's contributions on Oriental antiquities and Professor Botsford's on classical, and the sound work of that group of younger scholars led by Professor Rockwell, to whom has been so largely entrusted the history of the popes. To Professor Shotwell, for a time an assistant editor, falls the article on History itself, and its learning and eloquence will be appreciated even by those who do not wholly share his breadth of view. Nor will any historian be seriously shocked by his breezy article on the Middle Ages, which he essays to prove a myth—though it is a pity to ascribe the myth to Flavio Biondo, whose is neither the phrase nor the thought, and who, though his history does begin with Alaric instead of the Creation and was interrupted by death before he had brought it quite to his own time, dispatches in his first pages the fall of Rome that all the rest may be devoted (and almost in the spirit of Professor Shotwell) to “the beginnings of new cities and the honor of most surpassing peoples”, for whose rise he counts the fall of Rome a providential thing.

That scholars thus enlisted in other lands are such as have proved their fitness for the tasks to be entrusted to them hardly needs the saying; but the British contributors, too, though some great names are wanting where they might be looked for, have been selected with much care. Most commendable is the acumen which now and again has detected the special training for a special study of some scholar known as yet to but a narrow circle; and not less commendable the wisdom which has retained from earlier editions the work of scholars in whose field no peer was to be found. Not a few, indeed, of the most eminent names belong to those whose contributions are wholly of this sort; and not all were still among the living to revise their work. Revision, however, in all cases there has been; and, when entrusted to a scholar of like training, it seems well done. Yet even then it is not easy to be patient with what confuses authorship and vitiates integrity of style. It has been the peculiar glory of the *Britannica* that its articles were literature as well as learning. Learning can be patched, but literature bleeds when it is cut. Mark Pattison's Erasmus could have been put into no happier hands than those of Mr. P. S. Allen, to whose studies the changes in our knowledge are so largely due. He has left it, as he found it, a charming essay; yet one dares to wonder if the world might not have been the gainer if to Mr. Pattison intact in the ninth edition were added Mr. Allen unhampered in the eleventh.

But, if such doubt attach to emendation even by a master, whose appended initials suggest and justify the double authorship, what shall be said of that revision which without a sign, or with none that reassures, foists its amendments on another's work? And herein lies the very gist of what must qualify the praise due to the new *Britannica*. More even than the penuriousness of publishers, the besetting danger of encyclopaedias has been the omniscience of their editors. The "respect for anything in books" has had no better illustration than in their readiness to correct or to compile an article on the most unfamiliar or recondite theme. How many a scholar has shuddered, when the published work has reached his hands, to find inserted into his articles by editorial zeal the very errors which he had counted it his highest service to discard; or, if spared this, has found them reappearing in the unsigned articles now elbowing his own. It is to meet such dangers, doubtless, that it has become the growing habit of cyclopaedias on both sides of the sea to distribute editorial responsibility among a corps of eminent scholars drawn from different fields of learning. Such a body of "advisers" aided the editor of the new *Britannica*; but History had the fortune to be the field of the editor's own study, and Mr. Walter Alison Phillips, whom he associated with himself as chief assistant editor, was one of the most vigorous of the younger English historians. To aid them they gathered, on either side of the Atlantic, a group of other young scholars, all undoubtedly men of training and promise. But neither Mr. Chisholm nor Mr. Phillips was known to the world of readers by work in any period save the most modern; their colleagues were scarcely known at all. Each in the field of his own preparation was doubtless admirably fitted for such duties as a cyclopaedia may wisely commit to unproved pens; but for the revision of old articles or the writing of new no training and no promise can to the users of a cyclopaedia take the place of that proved special knowledge which alone can give authority. Yet to the pens of these, it must be feared, must be ascribed not only most of the revision, but the great mass of the unsigned articles, historical, biographical, geographical.

Let it at once be admitted that in these there is much good work, and that, as such work goes, the average is high. But there is much, too, which is simple compilation, and compilation from the most accessible sources. In the geographical articles history is so second to description that perhaps the guide-book information which sometimes creeps into them should hardly give offense; but for biography there should be a higher standard. That other cyclopaedias and biographical dictionaries should be frankly used and frankly quoted is of course to be commended; but that, for such a work, research should stop with these is a sad pity. Doubtless it is only a lapse of pen which can describe Ambrogio Traversari as a "French ecclesiastic", for the writer shows clear knowledge of the sources; but of what use to revise the article on Aleandro with neither mention or knowledge of those pub-

lications by which Balan and Brieger, Paquier and Kalkoff, have now first made accessible his papers and revealed the details of his career? Why write of Georg Agricola in ignorance of Hofmann's monograph, or of Schwenkfeld with no mention of the great new *Corpus* of his works? What shall be thought of a revision which in the article on Alva can still leave Egmont and Horn "leaders of the Protestants" or in that on Agrippa change "the abbot Trithemius of Würzburg" to "Trithemius, abbot of Würzburg", or can leave Capito intimate with "divines of the Socinian school" while Socinus was yet unborn? Why, if there must be an article on one and but one of the wretched authors of the *Witch-Hammer*, not turn to those studies of Hansen which have first learned something about them and have taught us that Sprenger was not the chief? More serious is it still when to such editorial assistants are assigned important articles for which a special student might easily be found. Surely, if there was one life for which such help was within reach, it was that of "Joan of Arc", on which in English we have the noble studies of Mr. Lowell and of Mr. Lang. Perhaps it was precisely these which made the task seem easy; for the initials attached to the *Britannica's* sketch are those of editors, including those of Mr. Chisholm himself, whose share, if one may guess from what appears, was perhaps only to verify it by Mr. Lang's just-published work. Closer study shows the article but a revision, sadly needed, of the ninth edition's, long passages of which remain untouched. Some errors are removed—and some are added. Could Mr. Lang himself have been induced to undertake it, he surely would never have begun by putting Domremy "in the Vosges" or wasting time over the futile (and now happily obsolete) dispute over Jeanne's name; or, doing so, could not have so misunderstood the very point at issue as to make it turn on the fifteenth-century use of the apostrophe (then not yet invented) or of a capital (while yet duke of Orleans and king of England regularly appear as Dorleans and Dangleterre), or have supposed the act of ennoblement extant in its original or its spelling beyond question. Nor (to skip all between) could he have ended the article without a mention of the newer sources, now about to be gathered into a volume supplementary to Quicherat's collection.

The severest test of British works dealing with general history has long been to examine the portions relating to Germany. But there have been most encouraging exceptions; and of late such work as Mr. Armstrong's and that of the writers in the *Cambridge Modern History* has been of better omen. Surely in this galaxy of scholars one could have been found for the *Britannica's* article; or, if any period had as yet no special student, help could have been sought on the Continent, as has so fruitfully been done for the articles on France, Italy, the papacy. But Germany falls instead into editorial hands, and chiefly to a young scholar scarcely known as yet to print. As a first attempt in a difficult field his sketch is not disgraceful, and it well may be a pre-



lude to achievements worth the while; but it is far from the ripe work to be expected on such a subject in the *Encyclopædia Britannica*, and both its text and the somewhat chaotic bibliography at its end abound in misconceptions and inadequacies.

The most daring of the staff is indisputably Mr. Phillips. With a temerity almost appalling he ranges over nearly the whole field of European history, political, social, ecclesiastical, now astonishing us by the keenness of his fresh research, now perpetuating some venerable error. Whether such work be keen or careless is, however, little to the point: the grievance is that it lacks authority. This, too—this reliance on editorial energy instead of on ripe special learning—may, alas, be also counted an “Americanizing”; for certainly nothing has so cheapened the scholarship of our American encyclopædias. But it is an Americanizing which few Americans will welcome.

For the future there is one great reassurance. Now and henceforward the *Britannica* is under the care of the University of Cambridge. That transfer came too late to be of serious moment to the eleventh edition; but it may well mean everything to those which follow. May it hasten the day when it shall be the editor's function to select its authors and to aid them, but not to do their work. There is, indeed, much short of that for editors to do. The weakest thing about the new *Britannica* is the inadequacy of its bibliographies. The most important source, the latest or the foremost monograph, the best book in English, go often unmentioned. Writing, as scholars must often do, at a distance from great libraries with their bibliographical aids, such oversights are easy. They are no trifle, to writer or to reader; and a vigorous young scholarship at the editorial desk might do much to remedy the evil. Great irregularity, too, prevails in the citation of titles and in the description of books. More vexatious still are the misprints to be found on almost every page, especially in proper names and in passages from foreign tongues. How many of these are to be ascribed to the American impression alone—thanks to the law which requires the type to be reset on this side of the sea—the reviewer can not guess; but surely here was work for an American editor at least.

To compare with the new *Britannica* any other in English speech is clearly idle. Though in occasional articles it may be surpassed by others, its vast bulk would of itself ensure its greater fullness. There is, indeed, in all the world only a single fellow—the French *Grande Encyclopédie* (1886-1903). Compared with this huge product of French scholarship its British rival falls short in size, containing but from two-thirds to three-fourths as many words; and he would be rash who should presume to rate the history in the French work—till his death under the masterly editorship of Arthur Giry—lower than that of the British. But in literary charm and readableness, at least, and yet more in all that goes to make up beauty of dress, the new *Encyclopædia Britannica* is without a peer. Even its maps, which so long lagged be-

hind those of Continental publishers, are now a joy alike to mind and eye. Those printed wholly in black are, it is true, sometimes obscure through wealth of detail or through the blurring of natural features by names; but those printed in colors, and especially those which color the rivers as well as the relief, leave nothing to desire. Whatever its defects, the new edition is a matter for pride. Its advent is a notable step toward the good day when the learning and the art of all the world shall be enlisted for the creation of that international work which alone can be a really faithful mirror of advancing knowledge.

GEORGE L. BURR.

*Hérodote et la Religion de l'Égypte: Comparaison des Données d'Hérodote avec les Données Égyptiennes.* Par CAMILLE SOURDILLE, Ancien Élève de l'École Normale Supérieure et de l'École Pratique des Hautes Études, Professeur Agrégé de l'Université. (Paris: Ernest Leroux. 1910. Pp. xvi, 419.)

*La Durée et l'Étendue du Voyage d'Hérodote en Égypte.* Par CAMILLE SOURDILLE [etc., as above]. (Paris: Ernest Leroux. 1910. Pp. 259.)

THIRTY years ago the prevalent method of studying Egyptian religion was to begin with the data and the ideas regarding it furnished by Greek and Roman authors, and having built up a system from such sources, then to proceed with the older Egyptian documents, employing them merely to fill up gaps, to furnish illustrations, and to brighten with contemporary detail what would otherwise have been a rather meagre outline. Such was the method by which Brugsch produced his *Religion und Mythologie der alten Aegypter*. It was such a method as this, which enabled the older generation of scholars to discover primitive monotheism on the Nile, as well as elsewhere in the East. Its futility was long ago recognized, but we have as yet made but a very small beginning toward the exhaustion of the old native sources properly employed.

The larger of M. Sourdille's two books mentioned above is a sober and careful effort to determine just what value we should attribute to the account of the religion of Egypt in the middle of the fifth century B. C. furnished us by Herodotus, the earliest Greek traveller on the Nile who has left us his impressions. This question, while it may seem to be a purely literary one, is of far-reaching historical importance. The imposing *mêlée* of thought and religion from the most remote and racially divergent sources, with which the historian is confronted as he surveys the Mediterranean world at the beginning of our era, was not a little influenced and modified by the current which constantly flowed into it from the Nile. What was the character of this stream of influence from Egypt? Can we suppose that the religion of Egypt, as revealed to us in old native sources long antedating Greek civiliza-

tion, passed out unalloyed into that Mediterranean world? For reasons based on language alone this supposition is impossible. It has long been evident to your reviewer, that it was the religion of Egypt as viewed, interpreted, and apprehended by generations of Greeks, it was this Hellenized composite of old Egyptian religion and Greek preconceptions which passed out into the Mediterranean world to make Isis a household word in Rome, and give her a sanctuary even in such a provincial city as Pompeii. The same thing happened to Christianity. It was not the Christianity of Judea in the first decades after the crucifixion which conquered the Roman world.

It is from this point of view that M. Sourdille's book is written. He desires to tap the stream of Hellenized Egyptian religion as near its source as possible, and Herodotus furnishes the best opportunity. The author's method, followed with the greatest conscientiousness, is to collect all the scattered statements of Herodotus on any one particular god, temple, feast, custom, etc., and having analyzed and then pieced these together, to compare the view of Herodotus thus gained, with the facts as discernible in native Egyptian sources. In places the Greek historian suffers somewhat unjustly by this method. The age when he visited Egypt, some seventy-five years after the Persian conquest, has left us so few monuments that we can not reconstruct from native sources the religious conditions which he found. Our native sources belonged to an age many centuries older, or to the later period of the Ptolemies. These last have not been thoroughly studied as yet. Undoubtedly they represent, more than any native sources, the religion of Egypt as Herodotus saw it. It is evident also that M. Sourdille does not deal with the native sources at first hand. He depends upon the Egyptologists, chiefly Maspero, but he has been most conscientious in his effort to array the whole mass of modern research, and, properly sifted, to bring it to bear at every point. Occasional misunderstandings have inevitably resulted. The hieroglyphic original of the Greek "Harmakhis" does not mean "Horus of the two Horizons", which rendering is an old misunderstanding, but should be rendered "Horus in [that is, 'dwelling in'] the Horizon" (p. 57). Again the god "Soutikhou" (p. 105) or "Sutekh" of the Hyksos is in name identical with Set, the old writing of which is "Setesh", showing a softening of the heavy guttural "h" (kh) at the end to "sh". Our author's incredulity regarding the identity of the Phœnix of Herodotus with the Egyptian Benu, which is found as early as the Pyramid Texts, seems to your reviewer hardly justified (p. 198). The reference to Memphis as the capital of Lower Egypt (p. 389) is doubtless an inadvertence. While the author's researches suffer somewhat, because based upon available Egyptological studies of the older native sources—studies which must be regarded as only preliminary and still more or less in their infancy—nevertheless his verdict on the account of Egyptian religion given by Herodotus will in your reviewer's judgment stand as

final. It is summed up in the last sentence in the book (p. 401): "Bref, malgré les nombreuses lacunes de l'exposé, malgré ses fréquentes contradictions, il est possible d'affirmer que la religion attribuée par Hérodote aux Égyptiens n'a été, à aucun moment de l'histoire, une religion strictement égyptienne." We cannot leave M. Sourdille's book without a word of hearty felicitation to him on the success with which he has applied his patient, careful, exhaustive method of inductive research, combined with clear, penetrating, and incisive insight into the materials brought together. He has given us the ablest book yet put forth on these aspects of Herodotus.

The smaller of the two volumes is clearly a kind of by-product of M. Sourdille's valuable study of Herodotus and the religion of Egypt. The question studied is of special importance as related to his larger volume. His conclusion that Herodotus made but a short stay in Egypt, probably less than four months, and that this period fell within the season of inundation from August on, is highly probable, if not demonstrable. The author's explanation of the preposterous account of the topography and geography of Upper Egypt given by Herodotus, is less happy. The Greek historian states that the mountain chain on the east side of the Nile, which he calls the "mountain of Arabia", diverges to the Red Sea, so that four days' journey above Heliopolis the valley again widens. It is perhaps a question whether his account of the mountain explains his impression regarding the widening of the valley, but his statement of this widening is unequivocal. The facts are of course quite the reverse. One widely accepted explanation of the error is that Herodotus did not make the voyage of Upper Egypt, and that he has fabricated his account of that voyage, putting together such facts as he could glean by inquiry. It is a fact, as he himself betrays it, that he was inquiring about the sources of the Nile at Sais. M. Sourdille's explanation of the Greek historian's strange mistake is that he did not make the voyage up the river itself, but sailed up the Bahr Yusuf, a channel far to the west of the Nile, which leaves the main river (or a canal from it) below Siut and flows into the Fayum. Our author is under a false impression regarding this channel. He calls it a "canal" (p. 252), but it is not an artificial channel. It is a natural branch of the Nile, which winds its way northward through the valley as no irrigation canal ever does. A stream less suited for a rapid voyage up the Nile valley could not be conceived. It winds so excessively and continuously that the itinerary proposed by M. Sourdille for Herodotus would, in point of time consumed, be quite impossible. Herodotus's false impression regarding the shape of the upper valley cannot be explained by carrying him up this channel. When we contrast the shrewd observations of the Greek traveller regarding the Nile Delta, with his confused account of the valley above, one cannot but regard it as somewhat doubtful whether a man with his capacity for observa-



tion could have voyaged up the Nile at all. The book is however an excellent study of the geography of Egypt as presented by Herodotus.

JAMES HENRY BREASTED.

*Palestine and its Transformation.* By ELLSWORTH HUNTINGTON, Assistant Professor of Geography in Yale University. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xvii, 443.)

THIS important book records in popular form the results of the Yale Expedition to Palestine in 1909. The author had previously travelled extensively in Central Asia, Asia Minor, Persia, and India. These journeys had led him to adopt certain theories as to changes of climate and their relations to history. Palestine seemed to him to present a unique field for the testing of these theories. For a number of months he thoroughly explored the land "in a series of circuits and zig-zags" which enabled him to see "at least a sample of each of the varied geographic types which nature has thrown together in this unique little country". "Two co-ordinated subjects", he tells us, "form the theme of this volume, topography and climate. The first half of the book is devoted to a description of the appearance and form of Palestine and to a consideration of the manner in which the peculiar geological structure of the country has given rise to certain strongly marked [national] characteristics, whose influence can be traced through history. The second half deals with the climate of the country, or, more specifically, with the changes to which climate has been subject" (p. 6).

The title of the volume refers directly to the second subject. By "the transformation of Palestine" Professor Huntington means to indicate the conditions under which a land once fertile and densely populated has become comparatively barren and sparsely peopled. But the two themes interpenetrate. In the topographical part many concrete instances are given which later serve as illustrations of the second or main thesis. For example, he notes at Aujeh in Southern Palestine the ruins of a once prosperous Graeco-Roman town, with colonnaded streets, baths, churches, etc. He shows that, whereas this town probably supported a population of ten thousand souls in the fifth century A. D., many of the modern Arabs who sparsely inhabit the district round about are genuinely hungry for months each year. He concludes that this change in condition is due to a diminution in the rainfall. He holds, however, that the changes of climate during historic times have not been radical, pointing out that a change in two or three degrees Fahrenheit in the mean annual temperature of Palestine, with corresponding changes in precipitation and evaporation, would have a marked effect on the habitability of the land. Of the three hypotheses, any one of which might conceivably account for the alteration in climate—that of deforestation, that of progressive change, that of pulsatory change—he adopts the last. He maintains that the three great eras of world-history are synchronous with three pulsations

of climate. At the end of each pulsation, the rainfall is supposed to have decreased, only to increase again in the next. But each wave is held to rise less high than the last, so that in the third era, which is still in progress, the rainfall will never reach the point it reached in the first two eras. In support of this thesis he brings to bear a wealth of material, meteorological, geological, geographical, historical, and archaeological. The force of his arguments however, in both sections, is occasionally weakened by sweeping statements which are not justified by the available data. Here and there the data are moulded to suit the argument. But on the whole the material is used in a scientific manner.

Mr. Huntington travelled in Palestine as a geographer, but to him the land was ever the Holy Land. Moreover he is happily not afraid to express his enthusiasm for striking scenery. His personal experiences, though never obtruded, are charmingly woven into the text whenever they may serve as real illustrations.

FREDERICK JONES BLISS.

#### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Manuel d'Art Byzantin.* Par CHARLES DIEHL, Professeur à la Faculté des Lettres de l'Université de Paris. (Paris: Alphonse Picard et Fils. 1910. Pp. xi, 837.)

For years M. Diehl has been known as one of the half-dozen prominent Byzantinists, yet one opens his book with some misgiving. Five years ago, at the first International Archaeological Congress in Athens, Byzantine archaeologists discussed whether the time had arrived for a synthetic statement as to Byzantine art, and the feeling was that there was still too little consensus of opinion as to its limits, its character, and its origin, too little of scholarly analysis and classification of its monuments. Since the congress, however, more discoveries have been made in this field than in the preceding century. New artistic schools have been disclosed. Every year has brought illuminating material or startling hypotheses, for much of which the Austrian critic Strzygowski is responsible. This activity has made the writing of Diehl's book possible. As he says, it is rather a history than a manual: the first attempt at a history of Byzantine art, though another French scholar, Millet, has recently given some important chapters to this subject in the monumental history of art edited by Michel.

There can be no question of the thoroughness, scholarship, perspicacity, and constructive ability shown in this book, cloaked in the interesting literary form so peculiar to French writers. It is a very notable contribution to art history, and all the more important because no style of art has been so maligned, misunderstood, and ignored.

The preliminary chapters on the origin and formation of Byzantine

art show the author to be a convert to Strzygowski's theories which attribute to it an Oriental origin, to the complete exclusion of Roman influence. The elements contributed by Hellenistic and native Syria, by Egypt, and by Asia Minor, recently brought to light, are carefully studied, with the added influence of Persia, and these are all found to focus on Constantinople during the fifth and sixth centuries, in such a way as to justify giving the title "Byzantine" to the finished art of the Christian East. A large part, it must be noted, is assigned to the Hellenistic art of Alexandria. As this theory as to origin and constituent elements is fundamental and pervasive, I cannot but register my belief that the opposition to Roman art as a factor in the situation is so far-fetched and unhistorical that it is not likely to survive. Byzantium as the direct heir of Rome received from her imperial art, and not directly from Hellenic art, her Alexandrian, Anatolian, and Syrian elements, which had already become incorporated in pagan Roman art. Diehl ignores Rivoira's proofs of the architectural dependence on Rome, which undermine the theories he upholds as regards domical construction, building plans, and other fundamental features.

We reach firm ground in the description of St. Sophia, which marks the golden age, almost at the moment when the new art first reached unity. The rich polychromy which henceforth ruled became the keynote of Byzantine art. Aside from figured sculpture, which was soon *taboo*, every conceivable form of art was developed. Far more wealth was expended on it than in Europe during the Middle Ages. The luxury and lavishness of Constantinople were unequalled. The descriptions of the imperial palaces, their decoration and contents, make it possible to partially reconstruct the scheme. The industrial arts were especially rich: tapestries, rugs, embroideries, silk stuffs, ivories, enamels, illuminations, gold and silver work, bronzes, cameos, were produced in enormous quantities. Their portability and beauty made the spread of the influence of this style in Europe quite easy by means of commerce.

The regions where Byzantine art may be regarded as indigenous are Armenia and Georgia, Asia Minor, Palestine, and part of maritime Syria, Greece, and the Hellenic provinces of Turkey in Europe, even including Slavic Servia, and, at one time, Russia. Venice was once almost purely Byzantine territory, and Sicily was strongly influenced at the same time. Domical architecture even penetrated as far as central France, and Germany was affected under the Othos and Henrys, especially in her minor arts—illuminated manuscripts, enamels, gold and silver work. In fact it is difficult to say where the influence ceased because it often took the form of inspiration, leading the arts of Western Europe to new fields of self-expression. Undoubtedly in the choice and development of the themes of Christian art, the Orient furnished at one time or another a majority of the ideas and subjects.

In view of the common opinion that Byzantine art was as immobile as that of Egypt, it is interesting to see how M. Diehl's careful analysis

discloses not only contemporary variations in different provinces, but distinctions of style and ideas at certain periods. After the decay following the century of Justinian (sixth), came the change brought about by the Iconoclastic persecution which brought into play fresh decorative ideas (eighth century). Under the Macedonian dynasty in the ninth century art entered on a second golden age that endured through the next century, with a marked return to antique beauty and models and a unification of architecture under a single domical type, with a tendency toward the Greek cross in plan and far greater slenderness of proportions, picturesqueness, and exterior polychromy. These peculiarities were further developed in the period of the Comneni (twelfth century). It was also now (tenth to thirteenth century) that Byzantine art exercised its widest influence outside its own domains, assisting in the great movement of art in Europe, dominating, especially, the revival of painting in Italy. One of the most novel features is the demonstration that even after the capture of Constantinople in 1204 and the disruption of the Empire by the Crusaders, Byzantine painting had a final burst of beauty during the fourteenth century corresponding in naturalism and charm with the contemporary Giottesque and Sienese schools.

There seems to have been no phase or branch of his theme that M. Diehl has not treated here with extraordinary thoroughness.

A. L. FROTHINGHAM.

*Les Chrétientés Celtiques.* Par Dom LOUIS GOUGAUD, Bénédictin de Saint-Michel de Farnborough. (Paris: Victor Lecoffre. 1911. Pp. xxxv, 410.)

DOM GOUGAUD's name is well known to students of the Celtic Church by his articles on the subject which have appeared in the *Revue Bénédictine* and elsewhere, and in this, his capital work, which forms one of the volumes of the *Bibliothèque de l'Enseignement de l'Histoire Ecclésiastique*, he has given us the most complete, and at the same time a most succinct, account of the historical evolution, the origin and growth of the Christian Church in the different parts of the Celtic world. The appearance of the book at this moment is particularly happy when the best-known essays on the subject, namely, Zimmer's brilliant and erudite, though not always reliable, articles on the Celtic Church in Britain and Ireland (*Realencyclopädie*, X., 1901; English translation by Miss A. Meyer, London, 1902) and the same author on Medieval Irish Culture (*Preussische Jahrbücher*, 1887; English translation by J. E. Edmonds, New York, 1891) are, in their English dress, reported to be out of print.

The subject treated by Dom Gougaud extends to the close of the eleventh century, when the religious institutions of Celtic Christianity, which in spite of differences had certain characteristics in common, lost their own religious physiognomy. On this period, which constitutes one of the most interesting chapters in the history of Christianity, much has



been written and much remains to be done. In *Les Chrétientés*, Dom Gougaud gives not only his own most valuable opinions but also what was perhaps most needed at the present stage of the study, a compendium of the views of his predecessors. In the case of points which are still *sub judice* the author is content to present the theories that have been advanced without adopting any one of them. The work shows an astonishingly wide acquaintance with the sources and the literature, which is examined with an independent and incisive criticism. As might be expected in a work of such comprehensiveness as the one before us, some phases of the subject are treated with more fulness than others. Especially worthy of notice are the chapters on Pelagianism, the controversies on the Paschal observance, and the tonsure, the origin of monasticism in Ireland and the constitution of the monastery, which reflects in many respects that of the clan; and the chapter on the illuminated manuscripts and the motives of ornamentation is the equal of, if it does not excel, the descriptions to be found in special works on the subject. It is shown conclusively, we think, that, except for the momentary intrusion of the Pelagian doctrines into a part of the Celtic world, the integrity of the Catholic faith was unimpaired, and that, in spite of an original outwardness, lack of organization and authority, which marked it off from that of Rome, the Celtic Church was not at any time dissentient and independent.

The author (p. 262) points to the need of a detailed study of the apocrypha, which enjoyed an especial favor in Ireland, and also (p. 284) of the rich folk-lore material of the Celts for the light it throws on their superstitious credulity. In connection with this subject, we may be permitted to call attention to the curious book of Walter Y. E. Wentz, *The Fairy-faith in Celtic Countries* (Rennes, 1909), which seems to have escaped the notice of the author. On pages 310-312 we find the best account, though brief, of the old, popular Celtic prayers which are most characteristic of the piety of the ancient Celts. The author is undoubtedly justified in limiting his study to the first thousand years of Celtic Christianity, but a history of the religiosity of the Celts would not be complete without some account of their religious songs and dramas and other folk-productions as they are found especially among their most widely separated branches, the Bretons and the Irish, which are still alive and contain elements, both pagan and Christian, peculiar to the race.

The serviceableness of the book is enhanced by the references, which constitute the most complete bibliography we have of the subject, and by the inclusion of three maps of Christian Ireland and Britain and of the extension of the Irish monastic institutions on the Continent, but we regret the absence of an index of subjects, which it remains for each reader to make for himself until the appearance of a new edition of the work.

JOSEPH DUNN.

*The Mediaeval Mind: a History of the Development of Thought and Emotion in the Middle Ages.* In two volumes. By HENRY OSBORN TAYLOR. (New York: Macmillan Company. 1911. Pp. xv, 613; viii, 589.)

IN the preface to this interesting and valuable work the author states that his purpose is "to follow through the Middle Ages the development of intellectual energy and the growth of emotion. Holding this end in view we . . . shall not stray from our quest after those human qualities which impelled the strivings of mediaeval men and women, informed their imaginations, and moved them to love and tears and pity." But in the development of the subject a narrower view is taken. The author describes as "the supreme mediaeval achievement, the vital appropriation and emotional humanizing of patristic Christianity". He says, "Albertus and Thomas represent the successive stages of one achievement, the greatest in the course of mediaeval thought." "Albert and Thomas embody *par excellence* the intellectual movement of the thirteenth century." "For scholars who follow, as we have tried to, the intellectual and the deeper emotional life of the Middle Ages, the Latin literature yields the incomparably greater part of the material of our study. It has been our home country, from which we have made casual excursions into the vernacular literature." "More profoundly than any vernacular mediaeval literature, the Latin literature of the Middle Ages expresses the mediaeval mind." And yet he considers Dante's work as "the mediaeval synthesis". As these passages indicate, Mr. Taylor does not try to portray the psychology of the average man (an impossible task), but is concerned mainly with the minds of those whom he calls the "arbiters of opinion".

The first book, "the groundwork", describes "the Latinizing of the West, . . . the antique pagan gospel of philosophy and letters, . . . the intellectual interests of the Latin Fathers, . . . the great Latin transmitters, Boëthius, Cassiodorus, Gregory the Great, and Isidore of Seville, . . . the barbaric disruption of the Empire, . . . the qualities and circumstances of the Celts and Teutons, . . . the ways in which Christianity, with the now humbled and degraded antique culture, was presented to this renewed and largely Teutonic barbarism." This introduction is excellent.

The second book, "the early Middle Ages", treats of three subjects: the Carolingian appropriation of the patristic and antique learning, the mental aspects of the eleventh century, and the growth of medieval emotion. The next two books, both entitled, "The ideal and the actual", have as their subtitles, "the saints" and "society". The former discusses monasticism, with St. Bernard and St. Francis in the foreground and Archbishop Rigaud's *Register* to illustrate "the spotted actuality", "the mystic visions of ascetic women", and "the world of Salimbene"—Salimbene among the saints! In the latter, knightly society is the theme, chivalry and courtly love, Parzival, Walther von der Vogelweide,

St. Louis, Froissart, Roland, Tristan, and Lancelot. In addition, there is a chapter on "the heart of Heloise", as an illustration of genuine medieval passion. The next book, "symbolism", is tantalizingly brief; only lengthy quotation could do justice to some of its contents and to the author's sympathetic insight. The sixth book, "Latinity and the Law", deals with the spell of the classics, evolution of Latin prose and verse, and the medieval appropriation of Roman law. The last book, "the ultimate intellectual interests of the twelfth and thirteenth centuries", treats mainly of scholasticism and its great exponents, but also has chapters on Roger Bacon and Dante.

There is little to criticize in the execution of the work as outlined above. Well-selected extracts from the sources, which make up probably one-fifth of the two volumes, furnish valuable illustrations. The translation is well done; but *Podiensis urbis* (II. 176) should be translated the city of Puy and not "some city on the Po". This slip may serve to illustrate the fact that the author is naturally not as well informed on the subjects which only slightly concern his theme, and he occasionally falls into error. For example (I. 523), he states that "as the tenth century passed, fiefs [in France] tended to become hereditary"; the provisions of the Truce of God (I. 529, note) are incorrectly summarized; the *Dictatus* are still ascribed unhesitatingly (I. 245) to Gregory VII. and to the year 1075; twice there is an anachronistic usage of the title "Holy Roman Empire"; the age of Frederick II. is given wrongly (II. 32); the first sentence on page 537 of volume I. contains two errors concerning Godfrey of Bouillon; the author uses (I. 506) the term "markets" where he should have written fairs; etc. But these are matters of minor importance which do not affect the main theme, which is admirably treated.

There is little discussion of heresies, because they "present no continuous evolution like that of the proper scholasticism. Progress in philosophy and theology came through *academic* personages, who at all events laid claims to orthodoxy." The author's point of view also causes him to lay little stress upon the scientific interests of the twelfth and thirteenth centuries, although he does refer to them frequently, especially in discussing Roger Bacon. While he insists upon following the line where the continuity is most clearly evident, he shows, in his chapter on Duns Scotus and Occam, "the scholastic decay" in the fourteenth century. The scientific interests and the political theories of the twelfth and thirteenth centuries, which are scarcely mentioned, were destined to have a future.

The last paragraph voices the disappointment felt in finishing this work. Mr. Taylor is so well equipped for his task! The broad foundation of his learning already proved by his previous volumes and here shown by the mastery of the sources, his knowledge of the secondary works—in the bibliographical notes we have discovered only one real omission: Vinogradoff's *Roman Law in Mediaeval Europe* is not cited in

chapter 33—his excellent summaries of the views of other men, his good sense and humor so frequently cropping out, his capacity for sympathy, the preface to this book, led us to expect a broader definition of “the mediaeval mind”, a discussion which would have thrown more light upon the rapidly changing society of the twelfth and thirteenth centuries, upon the dissatisfaction with the old conditions and the craving for new knowledge in many fields. He chose and has admirably accomplished a different task; and no student of things medieval can safely neglect this interpretation of the “mediaeval mind”.

DANA CARLETON MUNRO.

*A History of Wales, from the Earliest Times to the Edwardian Conquest.* By JOHN EDWARD LLOYD, M.A., Professor of History in the University College of North Wales, Bangor. In two volumes. (London and New York: Longmans, Green, and Company. 1911. Pp. xxiv, 1-356; vii, 357-816.)

It is a good while since the history of Wales has been treated on an extensive scale, and this fact alone would make the appearance of Mr. Lloyd's book a matter of some importance. For the past few decades have witnessed considerable activity in the investigation of the language and literature, the archaeology, and the general history of the principality, and some survey of the results has come to be highly desirable. But Mr. Lloyd has produced much more than a mere digest of information and opinion, useful as that would have been; he has written a comprehensive description of medieval Wales and a well-ordered narrative of its development. Beginning with remote matters of geology and ethnology he takes up with some fulness the history of Celtic and Roman Britain, the origins of British Christianity, the course and character of the Saxon conquest, and the relations of the Britons with the later Scandinavian vikings. Then follow extended descriptions of the topography of Wales and of its early legal institutions. Down to the time of the Norman Conquest the method of the book is, from the nature of the material, not so much consecutive narrative as discussion of movements and conditions. But from that point on, the ancient records being much more extensive, the author is able to trace in chronological course, and with much detail, the successive stages of the absorbingly interesting struggle between the Welsh and the English—a struggle which from one point of view meant the gradual loss of Welsh political independence, and from another meant the development of a kind of nationality within the principality. The endless petty quarrels of princes and feudal barons, by reason of which one generation in this turbulent period seems almost a repetition of every other, make the general course of the development somewhat hard to follow, and a compact survey of the whole, say in a final chapter, would have added to the clearness of the narrative, at least for the general reader. But Mr. Lloyd secures a kind of perspective by the device of introductory or closing paragraphs



in many of his chapters, in which he sets forth the salient facts of a period, or of a man's career, and comments on their significance. The details of his story are also managed with skill, and the actors in many cases are well individualized.

Mr. Lloyd's chief interest and his first-hand work seem to be mostly in the later portion of the book, beginning, perhaps, with the account of Welsh topography in chapter VIII. But the earlier chapters are also thoroughly competent and trustworthy. Dealing, as he does in them, very largely with debatable problems and with theories scarcely susceptible of proof, the author has often adopted the plan of presenting alternative opinions. Sometimes, as in the account of the palaeolithic climate (on p. 3) or the exposition of the opposed views of Rhys and Meyer concerning the origin of the Goidels in Wales (on p. 97 ff.), he does not take sides; but again, in dealing with the controversy of Zimmer and Williams on early Welsh Christianity (p. 105), he plants himself almost too squarely on the side of Dr. Williams. In nearly all such cases, however—I say “nearly”, because his statement of the theory of non-Aryan influence on Irish and Welsh syntax (p. 16) seems to me to be an exception—he makes the state of the question clear, and separates matters of fact or of general consent from matters of uncertain interpretation. His state of mind is on the whole so cautious that the reader is surprised, and by no means displeased, by an occasional flight of fancy like that on pages 14–15, where the long-barrow men are credited with an “appearance of mildness which it might not have been safe to presume upon”, and are compared to “the typical collier and *eisteddfodwr*, impulsive and wayward, but susceptible to the influences of music and religion”. Now and then, in the first part of the work, one would be glad of fuller treatment of the subject. Mr. Lloyd does not, in general, discuss problems there elaborately or make new contributions to their solution; and some matters of especial interest, like druidism, are scantily dealt with. The earlier chapters also suffer, in comparison with the later ones, from a disadvantage for which the author himself apologizes in his preface. They were written some time before the body of the book, and it proved practically difficult to bring them quite up to date. The reader is consequently disconcerted here and there by finding opinions stated in the text and retracted or qualified in the foot-notes (see pp. 29 and 30).

But I have mentioned what are mostly trifling defects in a book of high general quality and of much usefulness. Not the least of its excellences, I may add, is the breadth of its survey of all aspects of Welsh life and civilization. Account is steadily taken, for example, of literary material both Welsh and Latin, and both secular and ecclesiastical; and students of the literary history of Wales will find in the work numerous observations which concern them and some detailed discussions of value.

F. N. ROBINSON.

*The Speakers of the House of Commons, from the Earliest Times to the Present Day, with a Topographical Description of Westminster at Various Epochs, and a Brief Record of the Principal Constitutional Changes during Seven Centuries.* By ARTHUR IRWIN DASENT. (London and New York: John Lane Company. 1911. Pp. xl, 455.)

UNTIL the turn of the century no attempt had been made to trace the development of the office of Speaker of the House of Commons, although the office is nearly as old as that of the Lord Chancellor, and from some aspects quite as important besides being always more in the public eye. Two histories of the chair have been published since 1900. Mr. Dasent, exceptionally well qualified for such an undertaking by reason of his service as senior clerk in the House of Commons, adds a third, and students of English constitutional history are thereby indebted to him for an addition to the growing list of books on Parliament based on ample research. Mr. Dasent is in an environment that makes such research possible under congenial and helpful conditions, and the advantageous conditions under which he worked—at St. Stephen's, in the muniment room at Westminster Abbey, and at the Record Office—as well as the aid he received from Sir Courtenay Ilbert, clerk of the House of Commons, and other of his colleagues of the Commons staff, are frequently evident in his pages and duly acknowledged in his preface.

Manning's *Lives of the Speakers*, published in 1851, would seem to have suggested to Mr. Dasent the task to which he set himself—for it is the Parliamentary and extra-Parliamentary careers of speakers since 1295 that form his chief interest. But while the personal aspect is dominant, and while Mr. Dasent has traced the careers of one hundred and twenty-nine speakers and incidentally added much to English biography, his book has at least four other distinct values. It traces the connection which existed until 1547 between Parliament and Westminster Abbey, of which the only obvious survival to-day is the custom of opening the gate from Dean Yard into Great College Street on the first day of a new session. It identifies the various chambers at Westminster and at Blackfriars, in which the Commons have sat; and it embodies the fullest history of the palace of St. Stephen's that has yet found a place in any history of Parliament. It chronicles the constitutional developments that were contemporary with a speaker's tenure of the chair; and it also notes each evolution in the office of speaker until, half-way through the eighteenth century, in the speakership of Arthur Onslow, it had, except in a few details, reached the plane on which it stands to-day.

Mr. Dasent has thus worked to five distinct ends, and incidentally he has added to what has hitherto been known of the Rolls of Parliament and the Journals of the House of Commons. He has also supplemented what is already in print concerning the date when members of the two

political parties grouped themselves to the right and left of the speaker's chair. Wherever Mr. Dasent is concerned with the topography of the immediate neighborhood of St. Stephen's, and where he goes a little further afield to Soho and Blackfriars, he adds interest and value to his pages, notwithstanding occasional digressions into present architecture, which, in view of the rapidity with which the face of London is changing, may have lost their point long before *The Speakers of the House of Commons* ceases to be of value to readers and students. There are one hundred and two illustrations. Eighty of them are of speakers. Of the others a map of Westminster, as Speaker Onslow knew it in 1740, is likely to be the most serviceable to students of the history of England in the eighteenth century.

E. P.

*The Dawn of Modern England, being a History of the Reformation in England, 1509-1525.* By CARLOS B. LUMSDEN. (London: Longmans, Green, and Company. 1910. Pp. 303.)

No writing of history is ever final. Even though no new material comes to light, the emphasis in history changes and the interpretation has thus to be adjusted to an altered *Zeitgeist*. This readjustment is especially necessary for periods full of party strife. Few would maintain that the history of the French Revolution has yet been written on lines destined to prove permanent. This is equally true of the Protestant Reformation and any attempt to rewrite it should be welcomed. The spirit of the present day lays emphasis upon the social consequences of religious movements and takes slight account of dogma. We find in the volume under review, written from the Roman Catholic standpoint, this spirit much in evidence. There is almost nothing about the theology of the Reformation; the author has always in mind the social results of the great change.

It must be admitted that the tone of the book is not wholly admirable. The author tilts against the Protestant assailants of his church and shows them scant courtesy.

Their statements about the teaching of the Catholic Church are such that the veriest little Catholic child would be competent to teach them the truth—though to teach them courtesy and charity would be an impossible task to anyone. . . . Misrepresentation has ever been a favourite weapon of Protestant controversialists, whether they write under the guise of history or not (pp. 183, 214).

No doubt some Protestant writers have assumed too much. We are reminded here that the Bible was freely translated and circulated before the Reformation. Principal Lindsay, whose work is far removed in spirit from that of the present author, has described the large number of translations in use in Germany before Luther and it must be regarded as one of the mysteries of history that Luther should not have seen a complete copy of the Bible until he entered the convent at Erfurt. Mr.

Lumsden makes another strong point. Not the sixteenth but the fifteenth century gave birth to some of the greatest movements of modern times. It saw the invention of printing, the discovery of America and of a sea route to India; it developed a great humanist revival; it has a magnificent record in art. The sixteenth century merely carried on what the fifteenth began, so that Mr. Lumsden can, with some exultation, proclaim that it was not the Protestant Reformation in the latter century which produced these great changes.

To him indeed the Protestant Reformation brought almost unmixed evil. It was the expression of the individualistic tendency of the age. Commerce was growing individualistic and the lust to become rich caused its leaders to break away from the restraints of corporate guild life. Luther proclaims this tendency in religion. According to Mr. Lumsden, he is a great egoist and his doctrine of the individual's justification by faith alone implied that man existed merely for himself and not for the community of which he is a part. Emphasis upon faith, says Mr. Lumsden, led to slackened emphasis upon good works. Ethics were divorced from economics. In earlier times even princes had sometimes assumed the beggar's garb to show their oneness with the poor. Now such good works were discouraged. Protestantism in its regard for the individual fostered a class spirit, emphasized the gulf between rich and poor, and multiplied the injustices in society. Medieval England, compared with Protestant England, was a moral country. Whatever vice there was in a writer like Chaucer he learned from a foreign source, Boccaccio. Our author ventures to say that

nowhere, either in England, Germany, Switzerland or the Scandinavian countries, did the advent of the Reformation bring about an advance either in theoretical or practical morality, but quite the contrary. If the moral state of England was bad in the reign of Henry VII. and the early years of the reign of his son, it grew worse and worse from the breach with Rome right down through the whole Tudor period, and . . . down through the Stuart line also (p. 187).

One wonders whether Mr. Lumsden can really know that this is true. At any rate, he does not lack courage.

Here we have reconstruction of history with a vengeance. It is noteworthy that such reconstruction goes hand in hand with certain frank admissions. It is a fashion, one might perhaps say a fad, among certain scientific historians of the present day, to call the great movement of the sixteenth century "The Protestant Revolt", since the word Reformation seems to involve pre-judgment. Our author, anti-Protestant though he is, knows no such scruples. He speaks frankly of the Reformation. What he calls "the ghastly pontificate of Alexander VI." shows what thorough reform was needed. He admits that the Church was wrong in applying the doctrine of indulgences to those who were dead; and so on.

As to the quality of the book one may say that the method, "history by suggestion", as the author calls it, is interesting. He has read widely



and gives a portentous bibliography. Yet he makes curious slips—as for instance on page 44, when he calls a coronation service a marriage service. His style lacks finish; his paragraphing is defective and the English is often slipshod; for him the split infinitive has no terrors. One wonders what the average educated person would make of the phrase “smug cit” (p. 192). The author is very fond of the saying “as Mr. [So and So] has pointed out” and uses it with wearisome iteration. The table of contents is bad, giving no real suggestion of contents, and one set of head-lines carried throughout the book makes them quite useless to the reader. Yet the work is not without promise. If the author carries out his plan to bring the book down to the death of Charles I. he will write many volumes and he will improve. He will learn sobriety in judging those who differ from him and he will find out that the attempt to prove a theory is the deadly enemy of scientific history. His theme is an enticing one. No other period offers the really scientific student a more promising field than does the English Reformation. One hopes that Mr. Lumsden will come to walk in the footsteps of Mr. A. F. Pollard rather than to give himself to the type of biassed history that Mr. James Gairdner is now producing on the Reformation. Every page of Mr. Lumsden’s book shows that he is young. He can therefore learn.

*The Archbishops of St. Andrews.* By JOHN HERKLESS, Professor of Ecclesiastical History in the University of St. Andrews, and ROBERT KERR HANNAY. Volume III. (Edinburgh and London: William Blackwood and Sons. 1910. Pp. ix, 270.)

WE have already reviewed volume I. and volume II. of this work. Volume III. proceeds on the same lines and consists of a life of James Beaton who filled the see of St. Andrews from 1522 to 1539. The volume proceeds breathlessly for it is not broken up into chapters. We could wish that the style of the authors were more animated. There is here almost a diary of the life of James Beaton, told with adequate knowledge and research. Little light is, however, thrown upon the conditions of church life in Scotland, in what was an interesting period. In a word the book must be ranked as dry-as-dust, in spite of its learning.

There were three Archbishop Beatons in the sixteenth century, this James, who was archbishop of Glasgow and then of St. Andrews, his nephew David, of St. Andrews, who became a cardinal and was murdered in 1546, and a later James of Glasgow. James Beaton of St. Andrews was a typical worldly prelate. His life was not stained by open vice, but he was entirely secular in his outlook. England and France were rivals during this period and Wolsey, aided by the Dowager Queen Mary, sister of Henry VIII., was seeking to attach Scotland to the policy of England. Beaton became the leader of the party favoring France, and it throws an interesting light on the spirit of the time to

find that Wolsey made strenuous efforts to kidnap him and hold him prisoner. The archbishop is described by a contemporary as "crafty and insinuating". It shows his secular character that he sometimes wore a coat of mail under his ecclesiastical vestments. When we compare him with the stately, highminded, scholarly Warham, and with Cranmer, his contemporaries at Canterbury, we realize how different was the English from the Scottish Church. It is true that there was a certain generosity in Beaton. He founded St. Mary's College, St. Andrews, but he worshipped the god of things as they are, and was aroused to action in spiritual matters only when the existing conditions were menaced.

It thus came about that Beaton has the evil distinction of being the first persecutor of the Protestants. Patrick Hamilton, a youth of good family, went, in 1527, to study at Marburg, and was profoundly influenced by the teaching of Luther, whom however he never met. He returned to Scotland in the same year, and announced his new faith so openly that he was quickly cited to appear before Beaton. The two men were, it is said, related. Beaton, as archbishop, condemned him as a heretic and he was burned at St. Andrews on the day the archbishop's sentence was pronounced. There is no record of any action by the secular power, and it may be that Beaton, in his heat and fury, sent the young man to execution on his own authority. Hamilton was the first martyr of the Scottish reformation. The archbishop who condemned him had no understanding of the heart of the Scottish people. There was a gulf between the prelacy and the masses, and the profound dislike which the prelacy aroused was to lead to the rigid Presbyterianism of the Scots, still one of the vital forces in the world. As we have said before, prelacy in England never was so completely secular in tone as it became in Scotland and this goes far to explain why the state church in England is still Episcopal while in Scotland it is Presbyterian.

*Andreas Vesalius the Reformer of Anatomy.* By JAMES MOORES BALL, M.D. (Saint Louis: Medical Science Press. 1910. Pp. xvii, 149.)

IN that earlier stage of societies, when they are held together by what Bagehot called the "cake of custom", the art of war and the development of law stand under no disadvantage; with the art of medicine it is otherwise. Medicine for its progress is largely dependent upon the analytic reason, upon what is called natural science. For its progress the verification of premises must be methodically established, and the ancillary sciences must be moving forward with no unequal steps. At the same time it is too much to say that without anatomy there can be no art of medicine, intimate as is the connection of these two subjects. In the Hippocratic period—and it does not do to speak of its documents as largely "spurious", for all of the collection, under whatever authorship, is of ancient date—the body of clinical medicine, espe-

cially on the surgical side, was very considerable and useful, while anatomy, except in respect of certain of the more palpable bones and joints, had not even come to the birth. At the same time it is true that the flourishing of anatomy, as of any other science, is significant of a general intellectual life and progress by which medicine, as other studies likewise, must profit. Anatomy has suffered in the past from certain disadvantages, not inherent in other studies, which hindered its development. It is not a very dainty subject, as Cicero and Madam Vesalius perceived; moreover against the dissection of the human body there has always been some prejudice, not without justice in ages when religion was material in method, and when the respect for human life needed strong sanctions. Hence dissection, if permitted at all, fell to the lot of menials, the professor regarding the performance, from his throne, with an easy patronage.

Every man is the product of his age, but few masters have sprung so suddenly from chaos and darkness as did Vesalius. Mondino was a very respectable but not a very effectual person. Berengar did more; but the secret of their failure and of the conspicuous success of Vesalius, lay in this great small matter—that Vesalius put his own hand to the work. With my own scalpel I did it! Impatiently he thrust aside the clumsy barbers who spared the fastidiousness of the professors and their pride of caste. The portentous da Vinci probably did the same, but his work did not see the light. Need we stay to point the moral!

Protected by the powerful and relatively free Venetian Republic Vesalius had much of a free hand also; a freedom which under Philip of Spain he bartered away. It is less likely that he burnt his later papers in a fit of despair than in fear of inquisitorial visitations; happily the great *Humani Corporis De Fabrica*, with its marvellous contents, illustrated by the artist probably on the whole the best fitted of all in that day of artists for the achievement, escaped all accident, and was published in a worthy form. The lost papers may have been of less importance; they may have contained minor facts which were thus left for the discovery of later observers; and in them we may have lost the first foundations of pathology: but in large part they seem to have consisted of pharmaceutic and therapeutic materials for which the master of anatomy could not then have been so brilliantly equipped. As regards physiology, what Vesalius could at that period have given us probably appeared in the *De Fabrica*; and it can scarcely be admitted that the passage on the circulation, quoted by Dr. Moores Ball (p. 110) takes the reader much if at all farther than the knowledge of his forerunners. It had long been recognized that arteries and veins ran together, and furthermore that they co-operated in some obscure flux and reflux.

Dr. Ball has done good service by the preparation of this beautiful book; a popular life of Vesalius was much wanted, and the want is well fulfilled. If some passages in the introductory chapters are a little thin, and perhaps not always quite sound in learning, no such criticism

can be brought against the body of the book, which is as well informed as it is well balanced. Dr. Ball—who acknowledges his debt to the “monumental work” of Roth (1892)—is as scrupulous in doing full justice to the predecessors and successors of Vesalius as he is excellent in his picture of the man himself, and in the description of his work. These appreciations of his immediate followers are a very useful and interesting feature of the book, and very competently and succinctly done. On one point we think the scientific ideas of the past do not receive full justice, either from Dr. Ball or from other historians of medicine; namely, concerning the “vital spirits” of the arteries. Galen, and probably the Alexandrians, saw herein more than the common bellows notion of regulation of heat and cold; in their confused way they had the right idea of a blood reanimated by the air, of *pneuma*—the “spirituous blood” of Servetus and Columbus. They had glimpses of the oxygen they could not catch.

The volume is a very handsome one, beautifully printed and illustrated; indeed it would be well if the publishers were to see their way to print a smaller and less sumptuous edition for modest purses; in which case the index might be considerably improved. From it, among other defects, we cannot find out if Dr. Ball, in stating rightly enough that hitherto we have had but one authentic portrait of Vesalius—the frontispiece of the *De Fabrica* (Basel, 1542)—has any opinion concerning the story in *Janus* (1905) of a portrait recently acquired by a medical museum in Amsterdam. Dr. C. E. Daniels (*loc. cit.*) discussed the credentials of this picture in close detail, and concluded that it is by von Calcar, and from the life.

CLIFFORD ALLBUTT.

*The University of Cambridge. Volume III. From the Election of Buckingham to the Chancellorship in 1626, to the Decline of the Platonist Movement.* By JAMES BASS MULLINGER, M.A. (Cambridge: University Press. 1911. Pp. lx, 743.)

THIS handsomely printed volume, bound in the light blue of the University of Cambridge, comes, after long delay, as a welcome addition to the two volumes on the history of the university published by the accomplished librarian of St. John's College, in 1873 and 1884 respectively. The author pleads his duties as lecturer on history and his desire to avail himself of the wealth of material furnished by the *Dictionary of National Biography* in justification of the tardy appearance of the work. It will be none the less welcome. The period of which it treats, “from the Election of Buckingham to the Chancellorship in 1626 to the Decline of the Platonist Movement”, involving as it does the Civil War and the Restoration, is one of the most perturbed in the life of the university itself, and at no time in its history was the university a larger factor in the life of the nation.



Such a volume is necessarily less easy reading than a biography or the history of a campaign. The number of individuals, the variety of their interests, the largely scholastic and literary character of their activities, render the picture involved; and the author has been more sparing in general summaries of periods and tendencies than the reader could wish. The individual characterizations, though brief, are however excellent, and the impression of the manner in which the university weathered the storm and stress of these eventful years is definite and satisfactory.

The author gives a sympathetic discussion of the share of Cambridge graduates in the upbuilding of New England, especially of Harvard University, but with the use in large measure of older rather than the more recent historical material and with little that is novel to the student of New England affairs. A point of curious interest is his demonstration of the influence of the theory of the learned fellow of Christ's College, Joseph Mede (1586-1638), in the formation of Cotton Mather's curious opinion that the New World was the special dwelling place of satanic powers driven forth from the Old by the progress of Christianity.

Of interest to teachers of history is the author's account of the foundation by Fulke Greville, the first Lord Brooke, probably through influences emanating from Francis Bacon, of a chair of history in the university in 1627, the occupant of which was not to be in holy orders, and was to be free to lecture on whatever field of history, secular or ecclesiastical, he should elect. Holland furnished the incumbent in the person of Isaac Dorislaus, of Leyden; but though the lecturer in discussing the *Annals* of Tacitus had declared the monarchy of England the best of all governments, he was not sufficiently definite on the divine right of kings to satisfy sensitive ears, and by the time of his second lecture complaint was made to Laud, with the result that though the lecturer signified his willingness to make satisfaction, the lectureship was discontinued, and instruction in history had long to wait in the university.

Buckingham's services to the university during the few months between his election to the chancellorship and his assassination, and especially his proposal to erect a library which that deed prevented, cast a pleasing light on some of the qualities of the royal favorite.

In the involved fortunes of the university during the Civil War, when Churchmen gave place to Puritans and Independents thrust in by authority, and in the equally arbitrary acts which followed the Restoration, the author tells the story with impartiality and clearness. His treatment of the Cambridge Platonists is at once sympathetic and discriminating. He makes plain their merits and their shortcomings alike, and the volume closes with their work. Its use is facilitated by a copious index, but especially by a remarkable table of contents of no less than forty-eight pages, which is almost an epitome of the work.

WILLISTON WALKER.

*An Historical Relation of Ceylon, together with somewhat concerning Severall Remarkable Passages of my Life that hath hapned since my Deliverance out of my Captivity.* By ROBERT KNOX. (Glasgow: James MacLehose and Sons. 1911. Pp. lxxviii, 460.)

AMONG the many descriptions of strange lands published in the sixteenth and seventeenth centuries the *Historical Relation* of Robert Knox occupies an honored place, not only because of the author's unique experience as "a captive for more years than he had lived to the time of his captivity", but also because of the patent truthfulness and hard-headed, prosaic nature of the man, which kept him from improving upon the facts he presented. The accident which cast him away almost solitary on an island known only along its littoral and made him a sort of curiosity to the native king occurred before he was educated enough to know the literary and financial benefit of inventing lies. Before he was twenty he was exhibited about the land and later travelled over it earning his living by handiwork. On escaping he prosaically told his story, partly, as he says, to give himself something to do, partly to relearn the art of writing, and partly for the glory of God. This unvarnished tale soon became the best seller of its day and was translated into French and Dutch, so that soon after "all the bookes were bought up", and as he had given his bond not to reprint the *Relation*, he subsequently added his autobiographical notes. The addition of Knox's autobiography with other notes, based on a find made in the Bodleian Library last year, gives its chief historical value to the present edition, though even without the new material a complete reprint of the *Relation* would have been welcome. The editor suggests the question whether Defoe, who knew Knox, may not have been indebted to the *Relation*, and the new autobiographical matter here preserved in convenient form may be helpful in solving this interesting point. Mr. Ryan, the able editor, has done well to preserve the text practically unchanged. We may see here, apart from the narrative itself, how a youth's education served at that time to instil into him more piety than syntax (spelling was rudimentary). "To part my Father and I"; "a bird sets on a tree"; "the countrey wants her water" are evidently unstudied examples of how one naturally spoke *circa* 1680.

The historian knows this book already, so it will be necessary for the reviewer only to point out that Mr. Ryan has brought out the work well and that what new material is provided is of interest chiefly in telling us more of the inner life of the good Puritan captain, together with some details as to his clothes and other trifles, which he forgot to mention in his "great Booke". One cannot but admire the rough sincerity and common sense of the man whose piety is so well modified by natural sagacity that he can explain the endemic "Sicknesse of Bencoolen" as due to "a contagious Aire which proceedeth from no other cause but the will of the Almighty Creatour, who tourneth a fruitfull land into Barrennesse for the Wickednesse of them that Dwell tharin", and hav-

ing, so to speak, done his duty by the Almighty, then proceeds to explain the "Concurrant Causes" of the trouble, "as first their houses are leake and wet. Secondly the Dyett is nasty and also the dishes . . . and thirdly the rotted rice they eat". He gets into a controversy with Captain Dampire (in the biography) over the relative merits of the "plantine tree" and the "Cocornut", and enumerates fourteen virtues of the latter, not to injure the Captain but "to doe the Cocornut tree Justice". He also recognizes his captors' good qualities, and here also the autobiography adds a touch or two that is not without human interest: "These heathen are very Compationate to indigent people of what nation or Religion soever, and their Common or usual saying in such a case is (Omma gea Durria) He is a Mothers Child".

Were it not that this book is two centuries old and too well known to review in detail we would remind the reader of the many picturesque details to be found in the *Relation* besides its ethnographic value in giving an intimate account of the products, trade, manners, morals, and political state of Ceylon's interior, at a period when the "city three-square like a triangle" was known to only one white man. The narrator may have had an elastic conscience. He says himself, regarding the business of robbing the Indians, that he would not allow himself 'to wade far into the Equity and Justnesse of such Actions, since my Commission according to human law would beare me out'; but wherever his descriptions can be controlled they shine with truth. Thus he says that the heathen will not kill to eat but have no scruples about eating meat killed by another. He means the Buddhists, and this was their rule in India. He says that they can go through the "Oyl" ordeal and come unscathed from the boiling fluid. So they can, and Knox testifies to what he saw (adding also, "whether it be their innocence or their Art, I know not"). The remarkable tales he tells of door-sitting are strange to him, but practices in India and China make them plausible. His proverbs of the country also ring true: "He that hath Money to give to his Judge needs not fear"; "If the planets be bad, what can God do against them?" Testimony of this sort based on comparative literature is fairly trustworthy and may add to Knox's reputation for veracity in other matters, which has not been entirely unquestioned. The original plates and paging are reproduced in the present volume.

*Acts of the Privy Council, Colonial Series.* Volume IV., A. D. 1745-1766. Edited through the direction of the Lord President of the Council by JAMES MUNRO, M.A., Beit Lecturer in Colonial History in the University of Oxford, under the general supervision of Sir ALMERIC W. FITZROY, K. C. V. O., Clerk of the Privy Council. (London: Wyman and Sons. 1911. Pp. xxxii, 876.)

THE fourth volume of the *Acts of the Privy Council, Colonial Series*, carries the extracts of the Privy Council Register from 1745 to 1766

and covers thereby a very important period of colonial history. No other series of British official publications has yet dealt with these years, except the *Calendar of Home Office Papers* and that only for the brief period from 1760 to 1766. For this reason the present volume is exceptionally welcome. A fifth volume, soon to appear, will complete to 1783 the entries from the Register, and a sixth, which will not be long delayed, will deal with the unbound papers. Thus this noteworthy publication, one of the most important of its kind and put through with a rapidity which reflects great credit upon its promoters, is nearing completion, and when finished will stand as a permanent source of great value to the student of British colonial policy.

The contents of this volume are essentially the same as those of volume III. The Council had settled down into a more or less definite routine of official procedure. Several entries show, even more conclusively than before, that the committee was but the whole Council acting in that capacity, as when it was ordered "by His Majesty in Council that the whole Privy Council or any three of them, Be, and they are hereby appointed a Committee for the Affairs of Jersey and Guernsey, Hearing of Appeals from the Plantations, and other Matters that shall be Referred to them" (pp. 484-485). The chief concerns of this committee, as of the Council itself, were the confirmation or disallowance of colonial laws, the issue of commissions and instructions to the colonial governors, and the hearing of appeals from colonial courts. Other colonial business occasionally appears, but none of it was periodic as was the case with these three aspects, which appear systematically and regularly among the entries. In conjunction with the issue of commissions the Council made an effort to put colonial business on a more organized footing. It scrutinized much more carefully than before the appointment of colonial officials, recommended the codification of colonial laws, and endeavored to check the growth of absenteeism or the performance of colonial duties by deputy. It may be, as Mr. Munro thinks, that the Board of Trade had ceased to be more than a body for reference and report, though the evidence to that effect is far from conclusive and seems less conclusive during Halifax's régime than at some earlier periods, but certainly the representations and reports of the board were never so frequent or its actual influence greater than during these years. Its representations and reports, here recorded, number nearly two hundred and fifty. It is true that a number of its reports were comparatively unimportant and that others were sent back because not signed "by a sufficient number of hands" or for other reasons not given; but the first of the reports to be so treated is of as late a date as 1763, and as witnessing any reflection upon the board is not very significant. In one particular at least the board enters upon a great improvement. It takes pains, in sending in the draft of a governor's instructions, to specify what portions are new, a practice which had it been followed from the beginning would save the student much painful labor.



Not only was the Council endeavoring to lighten the administrative machinery of the colonies, by scrutinizing appointments, but it was also endeavoring to strengthen the king's legislative control by affirming the necessity of the suspending clause and by enlarging the governor's instructions in all matters that concerned that official's attitude toward the passing of colonial acts. It approved the statement of the Board of Trade that for the colonial legislatures to repeal or alter laws confirmed by the crown, without a clause of suspension, was to destroy the power by the crown to direct or govern the colonies and to secure to its subjects their just liberties and privileges (1752). It made vigorous efforts, through the governor's instructions, to sustain the royal prerogative in the colonies as against the encroachments of the popular assemblies, and the committee declared as late as 1765 that such encroachments affected the king's authority and the liberty of his subjects and tended to throw the affairs of the king in the colony into the greatest confusion. We get much light also on the Indian policy of the Secretary of State and the Council, and are better able to understand the great change of plan which was leading to the Proclamation of 1763, a document long misunderstood by our historians. The real reasons for that proclamation are here given on pages 749-751.

Mr. Grant having withdrawn from the undertaking, the preface is signed by Mr. Munro alone. It is a thoughtful essay, characterized by insight and impartiality. From most of its contentions we would not differ, and in all that it says of tendencies in the West India colonies that parallel like tendencies on the continent we feel in hearty sympathy. To that phase of our colonial history practically no attention has been paid in America. But the preface contains a few omissions and errors that might easily have been remedied. The well-known Order in Council of March 11, 1752, is given as issued in April, and Mr. Munro has passed over entirely the important order of May 15, 1761, though it is printed in this volume (p. 157). The order directing the colonies to revise their laws is confused with that of March 11 (given as April 14), whereas it was approved in April, having been favorably reported in January. The reference to § 652 on page x should be to § 651, and the date when Georgia became a royal colony should be 1752. The name of John Camm is given as Camin, which may be, or seem to be, the reading of the Register, though it is later given correctly. A curious slip, due to unfamiliarity with Indian topography and to a misreading of the text, places the Delaware Indians in Connecticut, and the name of Wycoming for Wyoming, though so given in the entry, should have been corrected. The reference to Sir Matthew Lamb rouses the suspicion that Mr. Munro is not familiar with the fact that Lamb was the regularly appointed legal adviser of the board, while his comment on the Bosomworth case in Georgia suggests that he has not examined the evidence in the controversy found among the Board of Trade papers. But these are minor points and weigh but slightly against the many excellent features which the preface possesses.

CHARLES M. ANDREWS.

*The Nelsons of Burnham Thorpe: a Record of a Norfolk Family, compiled from Unpublished Letters and Notebooks, 1787-1842.*  
By M. EYRE MATCHAM. (London and New York: John Lane Company. 1911. Pp. 306.)

BURNHAM THORPE is a Norfolk village of which the Rev. Edmund Nelson, the father of the celebrated admiral, Lord Nelson, was rector from 1755 to 1801. It was here that the admiral was born in 1758; here also his youngest and apparently favorite sister, Catherine, in 1767.

In 1787 Catherine married George Matcham, a retired East Indian official of handsome fortune. With her departure from home began a correspondence with her father which fixes the starting point in date of the volume before us. She kept his letters, which still exist; and from them the material of the book is largely drawn, though supplemented by note-books and other data. She outlived all her family, and her death in 1842 fixes the end of the book, she being the last of the Nelson generation that had found its home in Burnham Thorpe.

The interest of the book is mainly in the admission to the intimacies of a family private life, which in some degree formed the background of a great historical career. Of material for history there is very little, nor much even for biography; but those who receive pleasure from knowing something of the surroundings and personal relations of a distinguished man, whose public achievements have commanded their admiration, will be repaid by perusal. Such is the case with the present writer, and in that sense he commends the volume to others who may feel like himself.

Probably the most stimulating effect produced by the work is reflection upon the genesis of those great special—or specialized—aptitudes which we know vaguely as genius. That there was among the Nelsons of Burnham Thorpe a good average of strong character is fairly probable from the record spread before the reader; but nowhere among them does there seem to have been any capacity for achievement. Even in ordering matters of private life dependence appears to have been largely upon the future admiral; not merely, nor chiefly, in the days of his renown, when influence attached to his position, but before, when he was unknown. His energy, his faculty for accomplishment, were a mainstay. Nelson the admiral, and he alone in the family, was eminently one of those men who will arrive. He was so from first to last, and he was himself conscious of the fact. "I shall live to be envied" was one of his early utterances. What concurrence of obscure natural causes led up to this natural result, standing conspicuous, yet without precedent in a family line, before him, after him, and around him? In point of distinction of quality, he is without father, without mother, without descent, without family. The same ingredients, one may say, in all; but in none other anything approaching to, or even suggesting, the one exception. Does not genius, which is admitted, suggest an explanation of miracle?

Of mentions in the book some may be cited. We are told on the authority of George Matcham, the brother-in-law, that it was the earnest wish of the admiral that "whatever boys of mine might live to be of age, they would adopt any profession other than that of arms, either as sailors or soldiers". Doubt is cast again upon the much-vexed question of the paternity of Horatia, Nelson's "adopted" child; and it is said that the admiral and his wife were so uncongenial, because of her temperament, that separation would have taken place had no Lady Hamilton appeared. This also rests upon the authority of the first George Matcham. "Lauded, admired, and sought everywhere but at home, where complaining and reproach formed a sad contrast to the merited reception he met elsewhere, he naturally turned from the spot, his heart sickened and revolted, and at last was completely estranged." Yet not long before he left England for the station where the entanglement began he wrote in a private letter, "I am possessed of all that is valuable in a wife". In 1800, when the infatuation was complete and Nelson not yet returned to England, his father, then an invalid of seventy-eight, wrote to Catherine Matcham, "I am weak and enervated, but the mind is strong; the body well taken care of by the best advice and best of care, by the unabated attention of your good sister-in-law, who is the very counterpart of her great and good husband". In later life the Matchams and Lady Nelson were reconciled.

Some of Matcham's utterances on other matters are of more general interest. "Many foreigners conceive we (English) are an uncleanly race from our not having a warm bath in every gentleman's house. Are they quite wrong in their conjecture? Clean linen alone will not make a person clean. . . . Yet we see houses built at the expense of tens of thousands of pounds without the consideration of spending a few pounds for a bath; a defect which excites the ridicule of foreigners and the regrets of travelled Englishmen. . . . The (present) frequent change of linen I think is owing to our greater intercourse with India." Again, "Smoaking tobacco is in England a forbidden indulgence."

There are several portraits, and other illustrations, which will possess interest for those already interested in the admiral.

A. T. MAHAN.

*William Pitt and National Revival.* By J. HOLLAND ROSE, Litt. D. (London: G. Bell and Sons, Ltd. 1911. Pp. xii, 655.)

THIS scholarly work presents the results of a careful study of numerous original materials recently made available in addition to those used by Stanhope, 1862, since which no detailed biography of Pitt has appeared. Dr. Rose has used Foreign, War, Admiralty, and Home Office archives; the Pitt manuscripts now in the national archives, and those preserved in several private houses; the publications of the British Historical Manuscripts Commission; and many recent memoirs, in addition to the more familiar works. Parliamentary debates are used, though

not generously, the author depreciating their importance and asserting that they should not be taken seriously as revealing either motives or ideals, since members were but playing the political game and were frankly conscious of that incitement.

In the absence of any considerable number of letters for the period of Pitt's youth, Dr. Rose can offer little more than previous biographers. The failure to discover letters the author regards as a distinct misfortune, even hinting that Bishop Tomline, in his portrayal of Pitt as a statesman, may have destroyed correspondence. On the other hand it is admitted that Pitt either lacked or restrained certain kindly, human qualities, and that his friendships were few. Also he was persistently negligent in his correspondence, so that light on his personality is lacking. In the absence of any exact knowledge of his youth, the marvel of Pitt's precocity in politics and government still remains. The author's lucid account of the fortuitous political situation, the emphasis placed on inherited genius, and the prestige of the elder Pitt's name, do not destroy the wonder at the sudden emergence of the statesman. Dr. Rose aptly quotes Bacon: "A man that is young in yeares may be old in houres, if he have lost no time", and he also emphasizes Pitt's wonderful self-discipline. He was "essentially methodical. His feelings, his words, even his lightest jests, were always completely under control." But even this does not explain the marvel of his selection as prime minister. Probably George III., in his fierce displeasure with the Coalition, took a desperate chance, with no realization of Pitt's abilities. The king, the author states, exercised a greater control in government, and even over Pitt himself, than historians have stated. He was "a sovereign who in the last resort gave the law to his ministers, and occasionally treated them like head clerks". Yet Pitt, it is asserted, was supreme within the cabinet. In diplomacy "at every emergency the British Foreign Office was directed by Pitt, and not by its chief, the Duke of Leeds". Dr. Rose attributes to Pitt practically unlimited power over his fellow ministers, but declares that the obstinacy of George III. seriously hampered him in the exercise of it.

The present volume covers the ten years of English history from the beginning of Pitt's Parliamentary career in 1781. In the matter of Parliamentary reform Dr. Rose is largely an apologist for Pitt, enumerating his difficulties and emphasizing the apathy of the country. Pitt's earlier enthusiasm gradually waned under the necessity of maintaining a majority, and after motions for Parliamentary reform were defeated, he leaned on "influence". Dr. Rose regrets this, but viewing all the circumstances, ascribes no blame to Pitt for his disinclination to continue a hopeless conflict. The effort for abolition of the slave-trade was also abandoned after failure, the author clearly bringing out the intensity and bitterness of the mercantile opposition to the measure. Pitt, inspired by Wilberforce, for whom he felt a more tender friendship than for any other man, had espoused abolition with vigor, but after successive defeats in



Parliament, and in the stress of the conflict with France, was forced regretfully to withdraw from whole-hearted support. The irritation of the extreme abolitionists and their suspicions of Pitt's sincerity, the author considers unjust, pleading political exigencies and larger interests in extenuation. Dr. Rose's thoroughness is well exhibited in the treatment of the Nootka Sound affair, in the use both of recent monographs and articles, and of new material. With his modern vision of the importance of England's victory, comparing it to the "irruption of Cromwell's fleet into the Spanish West Indies in 1654", he possibly leaves an incorrect impression of Pitt's prescience, even though he admits Pitt's actual blindness.

The analysis of England's influence in the Triple Alliance is superior to anything that has yet appeared. Here Dr. Rose controverts in part the work of Sorel, of Lodge in the *Cambridge Modern History*, of Vivenot, and others. Particularly interesting is the credit given to Ewart, the British representative in Berlin, for formulating and pressing to organized effort the whole anti-Russian movement. Ewart has never had the credit due him in history, but the present work will do much to establish him in his proper niche in British diplomacy. The Triple Alliance greatly aided in the re-establishment of British prestige in Europe. In 1790 Pitt could point to industrial prosperity at home and influence abroad. "In seven years, crowded with complex questions, he had won his way to an eminence whence he could look down on his rivals, both internal and external, groping their way doubtfully and deviously." The summit of Pitt's career, according to the author, came in 1790, because of his successful efforts for peace. Faithful historical description "will reveal the truth, that a statesman attains a higher success when he averts war than when he wages a triumphant war".

Comparison with the author's *Napoleon I.* is inevitable. The older work is more attractive reading because of the greater dramatic interest of the subject-matter, but the *Pitt* unquestionably marks a great advance in Dr. Rose's scholarly breadth and presentation. If less popular than the *Napoleon I.*, the *Pitt* is more solid and authoritative, and shows a greater felicity of phrase and analysis. A second volume on *William Pitt and the Great War* will complete the work.

E. D. ADAMS.

*Lettres de 1815. Lettres de 1812.* Par ARTHUR CHUQUET, Membre de l'Institut. [Bibliothèque de la Révolution et de l'Empire, vols. I., II.] (Paris: Honoré Champion. 1911. Pp. 368; 413.)

M. CHUQUET announces his purpose in the collection which he initiates with these two volumes to publish personal letters and private documents emanating from secondary personages, subalterns, and minor officials, though not neglecting documents of a general or official character or letters and reports of high officials, military and civil. Occasionally translations of little-known documents, and brief notes and jottings will

be included. It is therefore not exclusively a collection of letters, nor even of documents. Any pretense of confining the collection to unpublished material is frankly disavowed. The prefatory advertisement contains two other pregnant statements. It is guaranteed that the volumes shall be "aussi intéressante qu'instructive", and they will appear "quand et comme il nous plaira". In such cavalier fashion does this well-known historian seek to free himself from the obligations of historical method and careful scholarship, which should have been upheld by his notable example.

In the present volumes, the documents are arranged roughly in the order of the events to which they relate, but are not grouped into chapters, as might profitably have been done. Both the editorial and the typographical work are haphazard. Frequently it is difficult to distinguish documentary from editorial matter. Consistency is an unsought jewel. The editorial comments are frequently gratuitous, while needful matters receive no attention. Neither volume contains a map nor an index. It is hard to imagine the general reader finding these disconnected brief minor documents "interesting", and equally difficult to conceive how they will be "instructive" to the student conversant with the two subjects concerned. At best a few trifling foot-notes to history may be gleaned, and these mainly biographical details relating to minor characters. Public opinion and the sentiments of the army are depicted, but nothing new is revealed.

In selecting a title, M. Chuquet might well have followed the model of Miss Alcott's *Aunt Jo's Scrap Bag*. Into the scrap bag of these volumes, he is thrusting the unused documents and odd items that have caught his fancy during years of extensive research, just to get them off his hands. Each volume contains about 120 documents which are garnered from the archives of the War Department, with the exception of fifteen in the first volume and thirty in the second. The first volume deals mainly with the return from Elba and the second with the retreat from Moscow, but neither collection is comprehensive and documents of prime importance are often omitted. A satisfactory volume of select documents illustrative of either of these episodes would have a very different table of contents.

Only two documents in the first volume are distinctly valuable: Captain Forget's account (55) of the flight of Louis XVIII. from Paris, and General Abbé's narrative (71) of the campaign of the Midi, with its illuminating references to public sentiment. The narratives and testimony of Lessard (or Delessert) (16, 17), Randon (18), and Marchand (24, 25) of the events at Laffrey and Grenoble are important, but offer no confirmation of the statement of Houssaye and others that Randon ordered the troops of Lessard at Laffrey to fire on Napoleon. No other document makes essential addition or correction to Houssaye's *1815*. Extracts from the depositions at Ney's trial and other documents relating to Ney's "treason" (35-46) have a special interest. "Un colonel

de l'armée française" (76) makes serious criticisms of the conditions in the army.

The two leaders in the second volume, previously published anonymously, are ascribed to their proper authors by M. Chuquet. Captain Oriot (71) describes the retreat from Moscow to Smolensk, and Captain Briqueville (79) the retreat of the rear-guard under Ney from Smolensk to Orcha. Ney's modest official report (82) of this startling achievement is also included. The last episode of the retreat, the plundering of the military treasure-chests at Kovno, is recounted by their guardian, Colonel Heeringer (108). While this volume like the first contributes very little new information, it includes more documents of genuine interest and illustrative value, though the best are not among the "inédits".

GEORGE MATTHEW DUTCHER.

*I Carbonari dello Stato Pontificio ricercati dalle Inquisizioni Austriache nel Regno Lombardo-Veneto (1817-1825)*. Documenti inediti pubblicati dal Professore AUGUSTO PIERANTONI. (Rome: Albrighi, Segati e Compagnia. 1910. Two volumes. Pp. iv, 492; 404.)

THIS is one of the most important and also one of the most inaccurately edited works in the valuable series, *Biblioteca Storica del Risorgimento Italiano*, in which it is listed as volumes V. and VI. of the sixth series. Its nine hundred pages contain only documents, mainly portions of reports—without editorial introduction, notes, or subject index—on the examination of political prisoners by the imperial Austrian inquisition in the Lombardo-Veneto during the years 1819-1823, and some official correspondence relating to them. The publication of the reports has been made from a contemporary manuscript volume in the National Library Vittorio Emanuele in Rome, entitled "Estratti degli Atti dell' Imp. Regio Tribunale Criminale di Venezia interessanti lo Stato Pontificio". The authenticity of this manuscript volume is placed beyond doubt by the declaration of the secretary of the Imperial Royal Commission of *prima istanza*, who certifies in the volume itself that the proceedings herein inscribed are exact copies of those registered in the journal of the Austrian government for the use of the Pontifical government and were intended to contain such portions of the inquisitorial examination of prisoners in the Lombardo-Veneto as implicated citizens of the Pontifical States in the revolutionary conspiracies of the period. And it was by means of the information supplied by this volume that Cardinal Rivarola was able on August 31, 1825, to condemn in a single sentence four hundred and eighteen of the pope's subjects as political criminals.

It is only recently that this most important source has come into the historian's hands. Father Ilario Rinieri used it in an important paper in the *Civiltà Cattolica* in 1905, and also, though without naming it, in his *La Verità Storica nel Processo Pellico-Maroncelli*; one or two other writers after Rinieri quoted briefly from it; then Senator Pierantoni

managed to sequesterate it for four years during the unscholarly preparation of the present publication. Alessandro Luzio, in 1903, writing his important but not entirely trustworthy *Il Processo Pellico-Maroncelli*, knew of the existence of the manuscript volume, but although it contains portions of fourteen reports on the examination of Pellico and Maroncelli in Venice, 1821-1822, which are wanting in the Milan state archives in which Luzio worked, he failed to avail himself of it to fill in the historical gap. Had he examined Maroncelli's revelations made in Venice he would have been obliged to revise his published opinion of the "good Piero". On February 17, 1821, for example, Maroncelli in a dictated statement made before the Commission declared: "I cannot deny that in my depositions heretofore made I have maintained silence in regard to many matters and spoken untruly in regard to others. But I am now ready to tell the truth about everything, hoping that in the affair which I am going to relate, the Most Merciful Government will deign to consider my position, and especially that of my family, and concede to me and my brother that treatment which a man who is penitent of his transgression may hope to receive, and which I shall merit from the revelations which I am about to make" (I. 19). The disclosure of the most inviolable secrets and the betrayal of a host of companions and friends followed. In the course of his examination Maroncelli not only replied to the questions directly put to him, but with apparent eagerness entered repeatedly upon lengthy narration revealing what he knew of the whole flimsy web of political conspiracy, prepared by the Carbonari, the Masons, the Guelphs, the Spilla Nera, and other secret societies, with a fulness of circumstantial detail which would have done honor to the most odious political spy. Lists of conspirators were freely proffered; names of men of whom he had merely heard as secret society members and those of his most intimate associates were given with equal alacrity; their political views, their grades in the different lodges, the importance of their individual activities, all the information that was most damning to his fellow patriots was readily placed at the disposal of a police which Maroncelli knew to be infernally cruel in political repression and relentless even beyond the grave. And this was done, as he declared (I. 86), "to show his gratitude towards the Government"—that government against which he had himself conspired in company with several of the men whom he was betraying. Maroncelli may be pitied for the physical suffering and mental tortures which he was forced to endure in Austrian prisons, but after the publication of these reports of his conduct before the inquisition he can be classed only among the most vile and abject informers.

Of the reputations of the other twenty-seven prisoners whose examinations are reported in these volumes, few fare better in the new light that is thrown upon them than that of Maroncelli. Among the most noteworthy depositions made were those of Antonio Villa, Felice Foresti, Giovanni Battista Canonici, Antonio Solera, and Costantino Munari. Of the infamy of Villa much was already known. As to



Foresti, the charge that he betrayed his associates, brought against him ten years ago by Luzio in his *Antonio Salvotti e i Processi del Ventuno*, is fully confirmed by his depositions now made public. Many writers have hitherto denied the justice of Luzio's charge, maintaining that the official reports on which it was based were untrustworthy and had been falsified by the Austrian police. But the claims in exculpation of Foresti can no longer be maintained; unfortunately for his reputation many facts given in these reports of his depositions tally too well with the fragments of his own *Ricordi* published by Vannucci in a volume of the *Martiri*, to have been invented or inserted by the Austrian police. Foresti may now be said to have taken his place definitely in history among the informers.

The prisoner whose depositions were most creditable was Canonici. During the nine examinations to which he was subjected from August 21 to September 1, 1820, he showed much cleverness in his replies to the fiendishly shrewd inquisitors, shrouding his memory in a veil of uncertainty and giving as little information as was possible in the forced admissions. It is to be noted, moreover, that his depositions correspond perfectly with many statements made in his memoirs published in Bologna in 1848, *Un Tratto della mia Vita*, thereby furnishing further proof of the general trustworthiness of the Austrian police reports.

These proofs of the trustworthiness of the police reports are of the greatest importance to the historian, not only as enabling him to speak with certainty as to the character of the prisoners concerned, but because the depositions as a whole contain a treasure-house of detail upon the character, and aims, and working of the secret societies of this period in the Pontifical States. Much critical care must of course be exercised in the use of documents of this character, but with these volumes in hand it is not too much to say that a general history of Risorgimento secret societies becomes now for the first time possible.

To many students of Italian history it will be a disappointment that with this publication a few martyrs' crowns must come off. But an army of patriots and genuine martyrs remains, and the figures of the truly noble leaders stand out only the more clearly in the direct light thrown upon their weaker associates, many of whom are seen to have been but sorry novices in the field of patriotism, apt in dabbling with decorations of masonic and other secret lodges, but lacking the fibre to endure the test of Austrian police torture.

With regard to the editing of the volumes, it is to be noted that Senator Pierantoni carefully avoids all mention of the originals from which his documents are published, avoids all reference to the manuscript volume of "Estratti degli Atti" described above, and avoids stating that his documents are to be found in the National Library Vittorio Emanuele in Rome. His text is full of errors and it would appear that he was conscious of the wretched character of his editing and was unwilling that scholars should collate his volumes with the originals.

H. NELSON GAY.

*Cavour.* Von WALTER FRIEDENSBURG. Erster Band. *Bis zur Berufung in das Ministerium, 1810-1850.* (Gotha: Friedrich Andreas Perthes A.-G. 1911. Pp. xi, 417.)

It is noteworthy that the Germans, who have been indefatigable in producing historical monographs on almost all periods and persons, have neglected Cavour and the later Risorgimento. Nearly forty years have elapsed since Treitschke wrote his pithy essay, and Otto Speyer his pleasant narrative on Cavour, and Reuchlin's history, excellent at many points, especially when we remember that he produced it while the later events he describes were unfolding, dates from even farther back. Kraus's sketch is recent (1902), but it is hardly systematic enough to be classed among formal biographies. Perhaps the development of the unified German Empire on lines quite different from those which Cavour followed for the unification of Italy, may partly explain this neglect. So long as Bismarck lived, he not only absorbed the attention of his countrymen, but he seemed to them so *kolossal* as a state-builder that no other could be worth considering. Under the present Kaiser, also, absolutist ideals have been so popular, that it was hardly to be expected that the career of the greatest of European Liberals in the nineteenth century should be widely studied. Even Treitschke, despite his admiration for Cavour's genius, was too full of the then recent Prussian victories, not to let one infer that Cavour made an irreparable blunder in not being born a Prussian. We welcome, therefore, Dr. Friedensburg's biography; for whether it takes its place or not as an adequate life of Cavour, it will at least throw light on the opinions which learned Germans hold to-day on Cavour's work.

In his preface, Dr. Friedensburg tells us that this is the first half of the biography he has in view: and he brings the story down to Cavour's entry into the cabinet in October, 1850. This surprises us, for we cannot believe that the author, if he holds to the scale he has adopted, can possibly squeeze his account of the eleven years of Cavour's tremendous ministerial labors into a similar volume of 400 pages. Zanichelli, indeed, divided his summary very unequally; but his justification was that he aimed at showing exhaustively Cavour's political philosophy rather than at chronicling his concrete acts from day to day. We mention this at the outset, because it seems to us to reveal a defective sense of proportion—that quality which is indispensable to all true and lasting construction. Unless Dr. Friedensburg foreshortens or condenses, he will require three more volumes instead of one.

The reason his first volume is disproportionately long is obvious: he treats every topic as fully as every other, thereby paying his tribute to the German ideal of thoroughness. Thus in his chapter on Cavour's writings, he sometimes gives too elaborate details of their contents: for what is really essential in a work of this kind is to report Cavour's general views, or his original criticism—as in well-known passages in the essays on Pitt and on Ireland. So too, in the earlier chapters on

Cavour's formative period, instead of quoting bodily large sections from Chiala and from Berti, an historian more skilful in portraiture would have chosen a few brief but intensely characteristic elements. The same method overweights the narrative of parliamentary proceedings, where secondary and even tertiary matters are reported with a scrupulous exactness, that makes us wonder how Dr. Friedensburg can help being swamped when he comes to Cavour's fifty-two speeches on the commercial treaties. On the other hand, he dismisses Mazzini and the Young Italy propaganda so curtly that a reader who had not informed himself elsewhere would not understand why Mazzini was the voice of conscience to Italian patriots and the terror of European despots between 1831 and 1847.

As Dr. Friedensburg supplies no foot-notes or references, we cannot say what sources he has consulted; but so far as we have observed he has had access to nothing new. Indeed, we feel at times that he has not seen the printed Cavourian material of the last ten years, or familiarized himself with the large body of inedited recollections and opinions which acquaintance with the survivors of the great era might furnish. It is late in the day, for example, to state that the name of Cavour's *Inconnue* (Countess Anna Giustiniani) is unknown. Faldella gave a brief account of her in his *Fratelli Bandiera* at least fifteen years ago, and last year the newspapers of Genoa and Turin had biographical articles about her. So, too, in a substantial historical work, we expect to find the names stated of the persons to whom Cavour wrote the letters quoted. Instead of "a certain French lady", Dr. Friedensburg should say "Mme. de Circourt" (who was in fact a Russian). These points might seem trivial, were it not that they militate against the exactness which is the most important feature in the book.

We do not intend to minimize the value of this feature. We have devoted more space to the limitations, because after all the problem for Cavour's biographer is now architectonic and interpretative. A great mass of material exists; how to select and construct is the biographer's task. Dr. Friedensburg's ability to pack a mass of information into his pages is as apparent as his thoroughness. He evidently sympathizes with Cavour's Liberalism. His volume produces on us the impression not unlike that made by a Baedeker: only it lacks the stars and double stars by which even Baedeker recognizes that there are degrees of significance in the realm of facts. The frontispiece purports to be Cavour when about thirty years old; but it is so unlike the authentic portraits that either the artist who drew this never saw the original, or the publisher has by mistake substituted the profile of a German *Privatdozent* of 1840.

*Francesco Crispi: I Mille.* Da Documenti dell' Archivio Crispi. (Milan: Fratelli Treves. 1911. Pp. 409.)

THIS book, of which T. Palamenghi-Crispi is the author, contains some of the most important recent additions to the documents of the

Risorgimento. It is also significant as laying the foundations of a Crispi legend. The kinsman of the conspirator-politician leaves nothing undone here to prove that to Crispi, rather than to Cavour or to Garibaldi, was due the successful outcome of the events of 1860 which resulted in Italian unity. During his lifetime, the ruthless Sicilian was the target of unceasing accusations; yet he pushed himself on and up till he became prime minister. Then his enemies assailed him and drove him from office; but he rose again, and at his death, some ten years ago, although past fourscore, he was the most considerable political figure in Italy.

*Beati possidentes* was a maxim which Bismarck, with whom Crispi had many affinities, was fond of quoting, and Crispi might have echoed it. For he outlived all the other leaders of the Golden Era of the Risorgimento, and, as prime minister, he had access to the records. That he allowed papers that might incriminate himself to remain in the archives at Turin, for future historians to unearth, is not believed in Italy. Conversely, that he had made provision for his rehabilitation at the bar of history, cannot be doubted. Even before his death he furnished the unreliable Stillman with the material for an indiscriminate eulogy; and now Signor Palamenghi-Crispi stops little short of idolatry. Nevertheless, his book contains much original matter and must be treated seriously.

The first chapters describe piecemeal Crispi's exile from 1849 to 1859. No mention is made, however, of the charge revived recently by Orsini's accomplice, Di Rudio, that Crispi threw one of the three bombs at Napoleon III. in 1858. The real interest of the narrative begins with the autumn of 1859, when, as Mazzini's agent, he went incognito to Sicily to prepare a revolt. During the following spring he worked with great energy to make ready the expedition which Garibaldi was to captain. In Bertani, Bixio, and Medici he had untiring colleagues. But the plan hung fire. Garibaldi, too canny to be involved in a Mazzinian fiasco, held back. Crispi has always claimed, and the claim is repeated here, that he alone persuaded Garibaldi to go. Guerzoni, Garibaldi's best biographer, denies that any one person had the right to monopolize the credit; yet all agree that it was the production by Crispi of a telegram purporting to bring favorable news from Sicily that clinched Garibaldi's decision. It is commonly believed that Crispi forged the telegram, but his present biographer throws no light on this mystery.

Now follows the body of the work, in which, in the course of 300 pages, we have, from the Crispian point of view, an account of the Garibaldian liberation of Sicily and Naples. Crispi's diary of the voyage to Marsala, if he did not touch it up in after days, is a document of the first importance; and scarcely less noteworthy to the historian are various inedited letters and documents which emanated from him and his friends during that stormy summer. They confirm what we already knew, that is, that in political matters Garibaldi was a child; that he left the government in Crispi's hands; that Crispi displayed unusual



capacity and a tigrine ruthlessness; and that to him, more than to any other individual, was due the postponement of the annexation of Sicily to Piedmont and the kindling of feuds which crackle still in his biographer's pages. Many historians now concede that Garibaldi's refusal to annex Sicily in June or July was wise, but only blind partizans attempt to defend the further delay.

Signor Palamenghi's method of proving Crispi's transcendent genius is to vilify Cavour, and not merely to vilify, but to make him out incompetent, petty, and often idiotic. Such a method of course defeats its object and exposes the animus of its author. You may hold what views you will of their policy and character, but if you attempt to dismiss the Bismarcks and Cavour's of history as puerile, you cannot command respect. The fatal flaw in this biography is that it is written from the 1860 point of view. The charges and calumnies which then flew to and fro from among party spokesmen are not investigated. The immense volume of testimony which has been printed since is not treated critically. The best motive that Signor Palamenghi can allege for Cavour's policy of controlling the revolutionary movement is that he was jealous of Garibaldi's popularity and fearful of being turned out of office! So this book, except for its documents, has slight value as history, although it perpetuates for a later generation the venom which was too large an ingredient of the Garibaldian exploit. Readers of the Marios, of Mazzini, of Pianciani, of Bertani, and of Crispi himself in his earlier phase do not need to be told afresh what that venom was. After granting the amplest honors to Crispi and Bertani for the good they accomplished in 1860, we must still hold them responsible for the evil, which sprang directly from their implacable and fanatic natures. If an American writer should rake up Horace Greeley's diatribes against Lincoln in 1862, and should set them forth without the correction which subsequent events and evidence furnish, he would produce just such a portrait of Lincoln as Signor Palamenghi draws of Cavour. As for Francesco Crispi, the halo here assigned him renders him almost unrecognizable. Like Stanton, he did much important work; but he did it fiercely, remorselessly, and often in a spirit in which personal love of power rather than patriotism seemed to guide him. Halos do not fit such men.

WILLIAM ROSCOE THAYER.

*Bayern im Jahre 1866 und die Berufung des Fürsten Hohenlohe.*

Eine Studie von KARL ALEXANDER VON MÜLLER. (Munich and Berlin: R. Oldenbourg. 1909. Pp. xvi, 292.)

*La Restauration de l'Empire Allemand: le Rôle de la Bavière.* Par A. DE RUVILLE, Professeur à l'Université de Halle. Traduit de l'Allemand par M. PIERRE ALBIN. Avec une introduction sur les Papiers de Cerçay et le Secret des Correspondances Diplomatiques par M. JOSEPH REINACH. (Paris: Félix Alcan. 1911. Pp. xxxii, 327.)

VON MÜLLER'S book, which was submitted as a doctor dissertation in the University of Munich in 1908, is a preliminary study for a future history of the ministry of Prince Hohenlohe in Bavaria (1867-1870). His method of treating the events of 1866 is conditioned by this ulterior purpose. His first chapter sketches the position of the German middle states in the last years of the old Confederation and the attitude of the South German parties towards the problem of German unity; outlines the "triad" policy of Minister von der Pfordten, *viz.* maintenance of the Confederation and a Bavarian hegemony in a middle-state group; indicates the *timeo Danaos* attitude of public opinion towards Bismarck's unexpected proposal of a new federation with a representative parliament; and describes more fully the reversal of sentiment which followed the victories of the Prussian armies, the reconciliation between Bismarck and the Prussian Liberals, and the steps taken to organize the North German Confederation. The second chapter is devoted to the personality and political views of Prince Hohenlohe. In spite of his Prussian sympathies, Hohenlohe had failed to understand Bismarck's plans, and as late as the end of March, 1866, he believed that Bavaria would be forced to go, for better or for worse, with Austria. To him, however, the Prussian demand for federal reform and a German parliament seemed serious. He sought and obtained on April 11 an audience with King Louis, and urged Bavarian support of the Prussian proposal. His arguments did not persuade the king; but the favorable personal impression that he produced, strengthened by the fact that events proved his foresight, explains his subsequent appointment to the Bavarian premiership. The third and fourth chapters narrate the occurrences of the autumn and early winter months; the conclusion of treaties of peace and also of secret treaties of alliance between Prussia and the South German states; the realignment of parties; the retirement of Pfordten; the formation of the Hohenlohe ministry and the formulation of its programme. The connection between the calling of Hohenlohe and the recalling of Richard Wagner is recognized but reduced to its true proportions.

The book is not of the grade of the usual doctor dissertation. Not only is the material collected and presented according to the best German traditions, with infinite pains and conscientious exactness, but its presentation is marked by a sureness of grasp, a ripeness of judgment, and a clarity and occasional felicity of expression not always found in the writings of older historians.

Some of the more solid of these qualities are lacking in Professor von Ruville's work. This author has avowedly adopted a method of writing history which he calls "the method of the broken coin". The archaeologist who finds an incomplete coin digs further for the complementary fragment, and if the edges match his problem is solved. The historian, confronted with a fact which he cannot explain, searches for an hypothesis. If he can find one which meets his intellectual needs and which is not contradicted by any known facts, his reconstruction is equally satis-

factory—to him. What we have here is, of course, a very old thing with a new name. The method of hypothetical reconstruction has always been used, more or less consciously and with varying degrees of caution, by the best historians. It is also used by writers of historical romances; and the more freely it is employed by a historian, the more nearly his work approaches fiction. The new name which von Ruville has invented he draws from, and perhaps thinks to justify by, a simile. Similes, of course, are not arguments, and his is not even a good simile. Neither the facts which are presented to the historian nor the hypotheses which he constructs have the sharp outlines which make conclusive demonstration of correspondence possible.

Von Ruville's first three chapters cover, more cursorily, the same ground which von Müller traverses. Here the only conspicuous use of the "broken coin" method is to be found in the author's assumption that the secret treaty of alliance between Prussia and Bavaria received a special moral sanction from an exchange of personal pledges between the two kings. For the existence of such a "royal pledge" on the part of Louis the author thinks he has direct evidence in the Bavarian and Prussian throne-speeches of January and February, 1870, ignoring the fact that in monarchic states all treaties are, in theory, personal engagements of the sovereigns and are constantly so described. He further insists that King Louis's loyal discharge of his treaty obligations is explicable only on the theory of a personal pledge of faith. In his fourth chapter he discusses, following Rothan (*L'Allemagne et l'Italie, 1870-71*), efforts alleged to have been made early in 1870 to secure for the King of Prussia the imperial title. Rothan's story, von Ruville says, "should not without further examination be regarded as the expression of the truth"; but after such examination he apparently decides that in its main lines at least it is true. How he reaches this result is not made clear to the old-fashioned student of history.

The second part of the volume (chapters 5-8) is devoted to the relations between Prussia and Bavaria in the summer and early autumn of 1870; the third part (chapters 9-12) to the negotiations, in the latter part of the year, of the treaties which made the South German states members of a new German empire. Here the hypothetical reconstruction of facts centres on the means employed by Bismarck to break the resistance of the South German premiers, especially that of Count Bray (Hohenlohe's successor), to the establishment of a strong imperial government. It is, of course, well known that none of the South German governments except that of Baden really desired such a solution of the German question, and it is ordinarily assumed that it was the logic of the situation and the sentiment of the German people that forced them to sacrifice their independence. Von Ruville has another explanation. In the chateau of Cerçay, belonging to Rouher, the Germans found, in October, 1870, a mass of documents concerning the foreign relations of the Second Empire. A smaller collection of similar documents was seized at St. Cloud. All these were sent to the Prussian Foreign Office

at Versailles. In this mass of papers there was doubtless much South German correspondence; and probably there were letters from the very statesmen with whom Bismarck was negotiating, written at periods when the South German states, solicitous for their independence, were seeking the support of Napoleon III. In 1870, when North and South Germans were fighting shoulder to shoulder against the hereditary enemy, such letters would sound anti-national, morally treasonable. What could be more natural than that Bismarck should have utilized his control of this correspondence to extort from the South German statesmen submission to the Prussian demands? Von Ruville applies no derogatory epithet to such a procedure; but M. Reinach entitles his introduction to the translation: "An Historical Blackmail" ("Un 'Chantage' Historique"). In this instance it is evident that the author's hypothesis is more solidly based and more plausible than in the case of Louis's "royal word". A French historian of the first rank, whose methods are those usually practised by historians and who therefore probably had information not accessible to our author, had previously stated as a fact what the latter suggests as a supposition. Von Ruville himself quotes from Sorel (*Histoire Diplomatique de la Guerre Franco-Allemande*) the assertion that Bismarck made use of the Cerçay papers to threaten the courts of South Germany with revelations which would compromise them in public opinion, and that the very lively fears thus aroused singularly expedited the negotiations. Von Ruville, however, goes further than Sorel. He reconstructs the manner in which Bismarck must have used the documents, varying with the character and temperament of the persons to be influenced. Practically, we are present at the different interviews. All this is in the best manner of the historical romance.

The original German edition of this book appeared while von Müller's volume was printing; and the latter added an appendix of twenty pages: "Zur Kritik von A. v. Ruville." His detailed criticisms are limited to von Ruville's presentation of the events of 1866. He notes and discusses several points on which he and von Ruville differ, devoting most space to the hypothesis of King Louis's "royal word". In dealing with this and other products of the "broken coin" method, his procedure is simple and effective: he shows that the edges do not match by citing facts which are irreconcilable with von Ruville's theories. He shows, moreover, in one instance an almost incredible carelessness on the part of von Ruville in reading his sources. A statement of the latter regarding negotiations between the German governments in July, 1866, at Vienna and Nikolsburg is authenticated by a reference to "Pfordten's narration in the Chamber, October 12, 1866. State Archives, XI." Von Müller shows: (1) that the Bavarian Chamber was not in session in 1866 after August 31; (2) that there is no such narration by Pfordten in the volume cited; (3) that there is, in the volume cited, an extract from the *Bayerische Zeitung* of October 12, reporting remarks made in the Baden Chamber by the Baden minister of foreign affairs; (4) that



these remarks refer to negotiations in July, 1866, between the ministers of the South German states at Munich.

The French version of von Ruville's book reproduces without change all the statements which von Müller criticizes. It reproduces even the reference to Pfordten's lost speech, delivered in empty space.

MUNROE SMITH.

*The Life of George Joachim Goschen, First Viscount Goschen, 1831-1907.* In two volumes. By the Hon. ARTHUR D. ELLIOT. (London and New York: Longmans, Green, and Company. 1911. Pp. xiii, 321; ix, 300.)

EVERY good contribution to English political biography has usually what may be described as one central value—a value over and above all else in the book that makes it of peculiar service to students of history. Some biographies throw much new light on political movements. Those of Peel and Cobden are typical of this class. Others illuminate a departure in colonial policy or the origin and conduct of a war; and others again add to what was known of ministerial crises of first importance. Goschen was sympathetically and helpfully associated with no great forward movement in English politics in the last half of the nineteenth century. Nominally he was a Whig, although not born into the Whig cult. On some questions—such as the ballot and the abolition of church rates and denominational tests at the universities—he was radical, and quite out of sympathy with the Tories. But on such questions as the extension of the franchise he was much more Tory than Whig. All his life he distrusted and dreaded democracy. He repudiated the contention of radical reformers that the poverty and social squalor of the mass of the people was in any way due to class legislation in the eighteenth century, or that the governing class was responsible for these conditions; and on questions of constitutional change he was almost invariably ready and eager to group himself with the standpatters, whether they were Whig or Tory.

He was of a family, German in origin and pushing in social ambitions, but not sufficiently long established in England to have any political traditions. Temperamentally, however, Goschen was a Tory on most political issues; and the wonder is how he was ever accepted as a Liberal candidate at Ripon and Edinburgh—constituencies that he represented between his service as one of the four members for the City of London (a service ending in 1868) and his election as Conservative for the Hanover Square division of Westminster in 1888. He was a stirring figure in the Home Rule crisis of 1886; he was the pivotal figure in the ministerial crisis at the end of 1887 brought about by Randolph Churchill's unexpected resignation of the chancellorship of the exchequer in the Salisbury administration. There is much new light on both these crises in the early years of the Home Rule struggle at Westminster—particularly in many hitherto unpublished letters from Hartington, and in

Goschen's diaries and letters to his wife. But the central value of the biography—the value that distinguishes it from all political biography since Parker's *Life of Peel* was published in 1899—is the wealth of new material it contains concerning political parties between Russell's succeeding Palmerston as leader of the Whigs in 1866, with Russell's efforts at that time to give a Liberal tinge to his cabinet, and the split in the Unionist party in 1903, due to Mr. Chamberlain's retirement from the Balfour administration to push his propaganda for a protective tariff.

For the history of changes, developments, and crises in the two great parties, Mr. Elliot's biography of Goschen is the most valuable contribution to political history since Croker's *Diaries* were published in 1885. Cobden once told Goschen—in a letter, February 6, 1864—that he was a fireship likely to be dangerous to both political parties. In his Parliamentary career Goschen was of the Whig, Liberal-Unionist, and Conservative parties, and there were times when he described himself as a Liberal. It is because Mr. Elliot has with painstaking care and with well-presented detail followed Goschen through these recurring crises that his biography is so valuable a contribution to the history of political parties. Detail is especially characteristic of Mr. Elliot in narrating the division in the Whig Liberal party over the Gladstone Home Rule bill of 1885, with the result that the biography of Goschen is the fullest history yet between covers of the greatest crisis in the annals of the Liberal party.

*A. Thiers, Chef du Pouvoir Exécutif et Président de la République Française, 17 Février 1871–24 Mai 1873.* Par PIERRE F. SIMON. (Paris: Édouard Cornély et Cie. 1911. Pp. xvi, 358.)

M. SIMON's volume was awarded the Rossi prize for 1909 by the law faculty of the University of Paris. It is a study of the Thiers régime rather than of Thiers, the subject of the competition having been the executive in France from the assembling of the National Assembly in February, 1871, to the crisis of May 24, 1873.

The Thiers régime, M. Simon declares, was a unique system of government. The Republic existed, but only as a provisional arrangement. The National Assembly possessed sovereign power and a majority of its members was determined that the Republic should not become permanently established. Circumstances dictated the choice of Thiers as head of the government. Never in real accord with the majority of the assembly, he ruled owing to its acquiescence rather than with its support. In the combined capacities of responsible *chef du gouvernement*, president of the council of ministers, and deputy, he guided and controlled the assembly. Occasionally he yielded a point of minor importance, but upon all of the great questions, the tariff, the army, local government, the majority in the assembly gave way to him until he attempted to force the definitive establishment of the Republic. This reversal of the usual parliamentary process M. Simon attributes to the fact that

until final arrangements had been made for getting rid of the Germans Thiers was "the necessary man" and could dictate his own terms to the assembly.

In the organization and handling of the materials the monograph exhibits the admirable qualities almost invariably found in historical studies coming from French university circles. Within the lines the author has laid out for himself, the work has been well done. In matters of detail there is little occasion for anything but praise. Only in the general scope of the study and in the restrictions as to the materials to be employed is there any considerable ground for criticism.

In scope the study is confined too narrowly to the relations between Thiers and the assembly. These are fully treated. But the other activities of Thiers as chief executive are either passed over entirely or dealt with only in an incidental and imperfect way. In fact, the monograph is more a study of the history of the National Assembly in its relations with Thiers than a study of Thiers as chief executive. Even in that field the scope of the investigation might have been broadened advantageously. Outside conditions and events which exerted an influence upon the assembly are given too little attention. The proceedings of the assembly upon all important matters involving its relations with Thiers are set forth in considerable detail and with commendable accuracy, but no particular effort is made to explain what led the assembly to act as it did upon each measure beyond the furnishing of summaries of the debates, including liberal quotations from the principal speeches. There is no serious attempt to analyze the votes or to discover the reasons for the action of the various groups into which the assembly was divided.

The bibliography contains numerous titles but the plan of the study has called for only a limited use of the greater part of them. Collections of legislative and parliamentary documents have furnished most of the materials used to any considerable extent. Only a very restricted use has been made of newspapers and memoirs. The omission of the latter was perhaps justifiable, although it would seem probable that a cautious and critical use of them might have yielded some important results. The use of newspapers would have required an even greater caution, but the difficulty of their use did not warrant their neglect. For the period with which M. Simon's deals they are valuable material.

FRANK MALOY ANDERSON.

*The Cambridge Modern History.* Planned by the late Lord ACTON, LL.D., Regius Professor of Modern History. Edited by A. W. WARD, Litt.D., G. W. PROTHERO, Litt.D., and STANLEY LEATHES, M.A. Volume XII. *The Latest Age.* (London and New York: The Macmillan Company. 1910. Pp. xxxiv, 1033.)

THE twelfth volume of the *Cambridge Modern History* covers the period of the last forty years, although some of the chapters go further back than 1870. Mr. Leathes furnishes an excellent *coup d'œil*

of the period as a whole and then contributes a chapter on English history which is weak in description and explanation, at times almost annalistic. The treatment of French history by Bourgeois and of German by Oncken is admirable in knowledge, in exposition, and in discriminating characterization of leading figures, although the latter makes the intrepid statement that the annexation of Alsace and Lorraine was "the inevitable outcome for both nations of several centuries of their history" (p. 136). The opinion that the step was inevitable may be current in Germany but it is not widely held outside. Professor Eisenmann should have been allowed more than thirty-nine pages for the history of Austria-Hungary since 1860 in a volume that allots twenty-eight to Egypt and forty-three to India, particularly as his subject is the most intricate treated in the book. His analysis of the character and significance of Francis Joseph, his statement of the relation of Dualism to Sadowa, his appreciation of Andrassy and his description of the present situation are valuable features of the chapter. Mr. Okey's chapter on Italy discusses the career of Crispi, shows the advance of Italian democracy in the first decade of the twentieth century, and closes with a thoughtful survey of the present economic and social conditions. Professor Pares writes two chapters on Russian history since 1861, chapters overloaded with detail, but throwing many illuminating side-lights upon recent events. Particularly interesting is the indication of the important rôle played by Professor Milyoukov. The chapter on the Ottoman Empire by Mr. W. Miller is a mediocre piece of work, containing however a clear treatment of the treaties of San Stefano and Berlin. The description of the Revolution of 1908 is very brief and insignificant. There are well-informed chapters on Egypt and the Sudan (by F. M. Sandwith); on India (by P. E. Roberts); and on the European Colonies, chiefly British (by E. A. Benians). Sir Robert K. Douglas writes on the Far East. One of the best chapters in the book is that by Professor Longford on the Regeneration of Japan, an excellent account of Japan's progressive steps toward constitutionalism and of the reaction upon the internal structure of her society of the adoption of Western ideas and institutions.

A notable chapter is that by Major F. B. Maurice on the Russo-Japanese War, clear in its narration of events, instructive in its statistical data, interesting in its revelation that after Tsushima and Mukden the two powers were virtually stalemated and that peace was imperative for both combatants.

There are chapters on Spain and Portugal (by Hannay); on Scandinavia (by Stavenow), in which the recent dissolution of the Union of Norway and Sweden is described from the Swedish point of view; on the Low Countries (by Edmundson); on the Latin American Republics (by Kirkpatrick), in which this sentence on Díaz will certainly need revision: "his authority rests not upon terror, but upon a general loyalty which seems to approach enthusiasm" (p. 677). Triana's study



of the International Position of the Latin American Races is a succinct and illuminating presentation of an important subject. The volume closes with five chapters on special subjects. Sir Frederick Pollock's study of the Modern Law of Nations and the Prevention of War is a valuable summary of the growth of international law from early times and a sober and optimistic examination of its recent development in the direction of arbitration and the settlement of international difficulties by judicial process. Mr. Sidney Webb contributes an able chapter on Social Movements, interesting, among other reasons, for the light it throws upon the evolution of the democracy of Great Britain through economic struggles and processes. Mr. Whetham's chapter on the Scientific Age shows the remarkable progress of modern science along various lines. Mr. Rogers's treatment of Modern Explorations is dry and too much like a catalogue. Mr. Gooch closes the volume with a chapter on the Growth of Historical Science since the eighteenth century, a comprehensive review, well developed and characterized by discriminating criticism.

A few errors of detail have been noticed. The amendment to the French constitution to the effect that the republican form of government cannot be made the subject of a proposed revision bears the date of August 14, 1884, not August 18, 1883 (p. 111); by the treaty of March 15, 1873, France was not to be evacuated "by July 5, 1873", but within a period of four weeks from that date (p. 140); the First Hague Conference closed July 29 not June 29 as stated on page 247; Bismarck was not minister of commerce from 1870 to 1890 but from 1880 to 1890 (p. 138); it is not strictly accurate to say that Russia gained Port Arthur in 1898 "on the same terms" that Germany did Kiaochow, as her lease was to run only twenty-five years whereas Germany's was to run for ninety-nine (p. 513). The *Petropávlovsk* was sunk April 13 (p. 581), not in July or August as indicated on page 346. There is a typographical error in the dates of the van Lynden ministry in Holland (p. 244). The date of the defeat of the Home Rule Bill in the Commons is given differently on pages 44 and 84.

The narrative of the *Cambridge Modern History* is brought to a close with the twelfth volume. Two more volumes are to appear shortly, containing maps, tables, and an index. The editors deserve congratulation for having carried through so comprehensive and difficult a task. They have produced a valuable reference work. It is an indisputable convenience to be able to turn to these volumes with the practical certainty of finding an informed and sober treatment of nearly every phase of the history of the last four hundred years, at least of the political history, for the treatment of literary history is fragmentary. This history presents a vast amount of information in the light of modern investigation. It is a work of solid merits, objective, critical, and on the whole impartial, an impartiality which is, however, sometimes secured by gliding gently over contentious subjects, such as the

causes of the Franco-Prussian War and the Boer War. The result is an entirely inadequate discussion in such cases. For instance the diplomacy of Chamberlain is hardly more than alluded to.

But the defects of this history are also conspicuous. Most of the chapters are clogged with facts and the general trend of events does not stand out clearly. We cannot see the wood for the trees. This is of course not uniformly true but it is, in the opinion of the present reviewer, prevaillingly true. A multitude of things are mentioned which are not explained, whose significance therefore is not apparent. What shall it profit a man to know the titles of many legislative acts, for instance, or the names of many men, and nothing about any one of them? Again, the narrative in general lacks movement, life, color.

There is a more serious defect. The modern historical student demands the authority for this and that statement, and in his eyes, consequently, the very plan of this history is defective. That plan excludes all foot-notes and all critical examination of sources. We are given practically no aid in controlling our authors. Instead we are forced to rely upon the assertion of the specialist who writes the monograph. Each chapter, we learn from the prospectus, is written by the man who knows it best—a robust claim, whose justification is not always apparent. But even if it were, the passive attitude of accepting statements *ex cathedra* is no longer fashionable among historical students.

It is true that there are bibliographies connected with every chapter and we are told that they have been carefully selected. Now as a matter of fact these bibliographies are useful, but they are useful in the same sense that a library catalogue is useful. They are long lists without description or criticism. One can hardly run through two or three hundred books in the desire to control a statement that may appear doubtful. The bibliographies include titles of the most unequal character and yet no indication is given as to the value of each or its relation to the text. Moreover it is difficult to ascertain the principle of selection followed. A brief examination discloses omissions which are hard to understand in the light of what has been included. A few may be mentioned, in connection with volume twelve. Under chapter I., Oncken's *Zeitalter des Kaisers Wilhelm* and Andrews's *Historical Development of Modern Europe* and his *Contemporary Europe, Asia and Africa* are not given although Gooch's *Annals of Politics and Culture* and Irving's *Annals of Our Time* are. Under chapter v., there is no mention of Labusquière's *Troisième République* or Briand's *La Séparation des Églises et de l'État* or Anderson's *Constitutions and Documents* although Mrs. Latimer's *France in the Nineteenth Century* finds a place between Hanotaux and Lavis et Rambaud. Billot's *La France et l'Italie* and Tardieu's *France et les Alliances* are not mentioned under France, though the former is mentioned under Italy and the latter under Germany. Weill's *Histoire du Parti Répub-*

*licain* is given under the Third Republic, which it does not treat at all. In the German list (chapter vi.) Headlam's *Bismarck*, Oncken's *Zeitalter des Kaisers Wilhelm*, Howard's *German Empire*, Combes de Lestrade's *Les Monarchies Allemandes*, and Dawson's *Evolution of Modern Germany* are among the missing. In connection with the same chapter there is practically no bibliography of Social Democracy, which the text treats slightly, though there is one of Philosophy, Art and Literature, which it does not treat. Under Spain (chapter x.) Diercks's *Geschichte Spaniens* is not mentioned though an earlier book by that author is. Nor do we find, in a field in which there is none too much literature, Strobel's *Spanish Revolution* nor Gmelin's *Studien zur Spanischen Verfassungsgeschichte des Neunzehnten Jahrhunderts* nor Han-nay's *Castelar* nor Wilson's *Downfall of Spain*. Nor in the Russian section (chapters xii. and xiii.) is Skrine's *Expansion of Russia*, or Kovalevsky's *Russian Political Institutions* or Kennan's *Siberia and the Exile System* to be found. Holls's *First Peace Conference* and Hershey's *International Law of the Japanese War* are not alluded to, and such works as Bryce's *Studies in History and Jurisprudence*, Lowell's *Governments and Parties in Continental Europe*, Reinsch's *World Politics*, and Dodd's *Modern Constitutions*, useful for many chapters, are nowhere to be found. Nor is Douglas's *Europe and the Far East* listed, although Sir Robert, who wrote the chapter on this subject, ought to know that his book is probably the most useful general introduction to the subject.

The list of omissions might be easily extended but this is enough to show that the student cannot rely upon the "careful selection" of the compilers, that he can by no means be sure that all the best titles are included.

The appeal of this history must be to specialists or to professional students, as general readers would probably suffer from vertigo or at least from aggravated ennui in attempting to traverse these pages bristling with facts and names. Yet the critical apparatus which scholars legitimately demand is lacking. This is peculiarly regrettable in a history of modern times in which there are many controversial subjects. Where the contributors pronounce on these issues they necessarily do so in a brief manner. Scholars have a right to some guidance to the controversial literature, some clue with which to thread the maze. This critical appraisal of authorities, which it is assumed the contributors could have given us, as it seems to be implied that they have used in the construction of their narratives the material indicated in the bibliographies, would have been of great value. As the treatment of considerable blocks of history in the text is greatly compressed, frequently forty years to forty pages, it is to be deplored that the scientific equipment which might have supplemented this treatment is so inadequate. Either there should have been foot-notes to the more important matters or there should have been critical or descriptive bibliographies.

CHARLES DOWNER HAZEN.

*The First Decade of the Australian Commonwealth: a Chronicle of Contemporary Politics, 1901-1910.* By HENRY GYLES TURNER. (Melbourne: Mason, Firth, and McCutcheon. 1911. Pp. xv, 320.)

MUCH of this history is concerned with the rise and fall of cabinets. This is inevitable under the system of responsible government which prevails in Australia. The book, however, has a special interest for Americans. In the first place, it describes the beginnings of a country whose constitution, except as respects the system of responsible government, is copied from our own. In the second place, it deals with political movements which are in actual and powerful operation in Australia, and which are beginning to attain force in this country and Europe. These movements look to the nationalizing of all the means and processes of production and distribution, including the regulation of the supply of labor and capital and the fixing of wages and prices. American readers will be led to reflect whether or not the system of responsible government offers the same safeguards as our own against centralizing tendencies and movements.

As the book shows, the Australian Labor party, starting in 1901, at the inception of the Commonwealth, as a small centre party, became, in eight years, by the backing of organized Labor, the dominant party. During this period the Labor party evolved a definite programme, which received the name of "the new protection". The main feature of this programme was the control of all industrial operations by the federal Parliament, and, as necessary to this, the nationalization of all monopolies whether of land or of industry.

The Australian Constitution, however, like our own, places the control of all intrastate industrial operations in the states and reserves to them the residue of power. It was, therefore, at first attempted by the Labor party to bring about its programme by the use of the power of federal taxation. In 1906, this party secured the passage of an act by the federal Parliament imposing an excise tax on certain industries, which was to be remitted on proof to a federal commission, by these industries, that they had conformed to a certain standard of wages and to certain other conditions relating to price and absence of monopoly. In 1908, the High Court of Australia, in a suit brought before it involving the constitutionality of the act, held it unconstitutional, and the Labor party thenceforth began a movement to change the Constitution so as to permit the federal Parliament to put in force "the new protection" programme. So successful were they that at the session of 1910, acts were passed by the federal Parliament for changing the Constitution so as to permit the Parliament to regulate all trade and commerce; to create, dissolve, regulate, and control all corporations; to control all wages and settle all labor disputes; and to nationalize all monopolies (p. 253). These acts were, by their terms, to be submitted to referendum of the people of the states on April 26, 1911.



The book was published after this action was taken and before the date of the referendum, when Australia and the rest of the world were waiting with interest to see what disposition of the Constitution would be made by the people. Mr. Turner is evidently a conservative, who believes in the maintenance of the powers of the states, and in the rights of the individual according to the Anglo-Saxon sense. The last words of the book are: "The real solution of the future of Australia has been relegated to the people, whose decision on the 26th April will have an important and probably a lasting influence in making or marring the relations between the Commonwealth and the States." The verdict of the people of Australia, given through the referendum, was against the proposed changes in the Constitution.

This does not, of course, detract from the interest of the book. It should have a wide reading in this country.

A. H. SNOW.

#### BOOKS OF AMERICAN HISTORY

*California under Spain and Mexico, 1535-1847: a Contribution toward the History of the Pacific Coast of the United States, based on Original Sources (chiefly Manuscript) in the Spanish and Mexican Archives and other Repositories.* By IRVING BERTINE RICHMAN. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xvi, 541.)

MR. RICHMAN'S book is the first history of California under Spain and Mexico to be published in the United States outside of San Francisco. Indeed the only work hitherto available on the history of the state is Professor Royce's volume in the *American Commonwealths* series, which is a study of a single decade designed to illustrate the philosophical ideas of its author. The larger works of Hubert Howe Bancroft and Theodore H. Hittell, published in San Francisco, have notable merits, but they are too extensive for the ordinary reader, and are now out of print. The way was open, therefore, for a survey, within a moderate compass, of the history of California. It has evidently been Mr. Richman's purpose to take advantage of this long-neglected opportunity; and beginning with the Spanish period, it seems to have been his plan to present at once a summary of previous results and an original contribution based upon manuscript materials hitherto inaccessible to students. The work was undertaken in an auspicious moment; for before the author had completed his self-imposed task it became possible for him to harvest the first fruits of the investigations conducted by Dr. Herbert E. Bolton, for the Carnegie Institution, in the archives of Mexico. The author has been equally fortunate in his publisher: the volume is well printed, is amply furnished with maps, and conveys an immediate impression of taste and scholarship.

The typographical arrangement emphasizes the fact that the book consists of two distinct parts—text and notes—which are not very unequal in extent. The text keeps within moderate bounds: Royce took up a fourth more space with his study of the years from 1846 to 1856; Bancroft's treatment of the period to which Mr. Richman confines himself is, roughly speaking, ten times as long. The notes have not been limited in the same degree; they are voluminous and include references to much new documentary material. This, as might be expected (especially as the investigator did not himself visit either Mexico or Spain), is not evenly distributed over the whole period, but refers mainly to the quarter-century following 1768. For the second half of his volume the author seems to have relied on the sources indicated by Bancroft. The notes, it would seem, will be appreciated most fully during the period that must still elapse before the publication of Dr. Bolton's guide to the Mexican archives.

It is with deep regret that it has been found impossible to express an opinion in regard to the results of Mr. Richman's "two years' investigation", without appearing ungracious and censorious. Mr. Richman has an enviable reputation among historical writers in the United States based upon his volumes dealing with Rhode Island; but it must be confessed that in passing to a subject entirely un-English in its literature and institutions, the author's hand has lost its cunning. His *California under Spain and Mexico* is badly written, faulty in construction, full of inaccuracies of detail, and promulgates an entirely erroneous view of the relation of the mission to the government of the province.

In a narrative limited as this is, proportion becomes a matter of the first importance: Mr. Richman disposes of the first 235 years of his subject in less than sixty pages; he gives a total of five pages to the most notable explorers of those earlier years—Cabrillo, Drake, Vizcaino—as against twenty to Kino and Salvatierra, no part of whose work lay in Alta California; he allows as many words to an irrelevant description of a fight between a bull and a bear (pp. 352-354) as to his account of the earliest explorations of the coast (pp. 4-7).

Mr. Richman has much to say of his new materials—and they are indeed important—but it is impossible to discern from his text that the documents cited in his notes have been effectively utilized. How they have been used is illustrated in the case of the Fages diary of 1770. This the author considered of so much importance that he has printed it in translation (made by Miss Emma Helen Blair) as an appendix, and yet, from what he says on page 103, it can only be inferred that he himself has never read it.

Finally, viewing the matter from the standpoint of initiative and primary purpose, it may be said briefly that Alta California was not "founded by priests for the glory of God" (p. 184). The establishments at San Diego and Monterrey were founded, in 1769 and 1770, for definite and well-known political reasons, under the direction of

the officers of the crown. It is, moreover, quite erroneous and improper to say and reiterate that the old and perennial quarrel of captains and friars over mission guards raised in California the question, "Was State Sacerdotal to control State Secular, or to be by it controlled".

FREDERICK J. TEGGART.

*The Public Life of Joseph Dudley: a Study of the Colonial Policy of the Stuarts in New England, 1660-1715.* By EVERETT KIMBALL, Ph.D., Associate Professor of History in Smith College. [Harvard Historical Studies, vol. XV.] (New York and London: Longmans, Green, and Company. 1911. Pp. viii, 239.)

THE public life of Dudley coincided practically with the period of his manhood. Born in 1647 and graduated at Harvard College in 1665, he was in 1673 elected as representative to the General Court. In 1676 he was elected an assistant and from 1677 to 1681 he held the office of commissioner for the United Colonies. He was also sent to London as agent of the colony.

Up to this time Dudley's public life had been colored only by local politics. The independent commonwealth, founded upon a mercantile charter, having an elective governor, an elective assembly, and an elective judiciary, had survived all the attacks which had been made upon it. Opposition to the crown in Massachusetts during the days of the colony had been practically an opposition of the colony itself. Loyalists were only to be found in the minority party, which is termed by the author the "moderate" party.

The succession of appointive offices held by Dudley after the annulment of the charter, identifies him with the court party and had the natural effect of making him unpopular with his fellow citizens, the majority of whom at this period of the life of the province still clung to the tradition of the elective government in which their fathers had participated. His constant official life, now on the one side of the Atlantic, now on the other, was in itself a testimony to Dudley's influence at court and to his capacity to make use of the power which he controlled. He held successively the offices of president of the council of New England, chief justice of the superior court under Andros, member of the council of New York, deputy governor of the Isle of Wight, member of Parliament, and governor of Massachusetts.

During the days of the colony Randolph tells us that the loyalists were tongue-tied. They did not dare openly to assert themselves. Under the provincial government, with all the appointive offices under control of a royal governor, the band of office-holders were in themselves a power, and the dispensation of patronage, together with the accumulation of wealth in the hands of favored families, created a party which had to be considered in local affairs, but which had not reached the height of its power in the days of Dudley.

By some curious chance, in the performance of one of his official acts Dudley inadvertently and unconsciously did more to build up the power of his adversaries than was accomplished by anyone among themselves. While the far-reaching results of this insignificant act were mainly posthumous and thus do not come within the lines of the exhaustive study laid out for himself by the industrious and painstaking author of this work, still the unwitting contribution to the growth and power of his opponents, by so consistent a loyalist as Dudley, will perhaps excuse a reference to it, even though it should carry us beyond the life of Dudley for the development of its effects.

The event occurred in 1715. The house of representatives was according to our author at this time controlled by "the country party which reflected the old idea". The various points upon which collision took place between Dudley and the house of representatives are set forth in this work with sufficient detail for their comprehension. The noise of these battles did not, however, extend much beyond the walls of the old state house, and their influence must have been largely confined to those who participated in them and to those who could hear about them at the dinner tables and bar-rooms of Boston. There were no newspapers at that time whose columns were open to the dissemination of such news. Wearied with his repeated failures to secure certain legislation, Dudley, on June 20, 1715, prorogued the court, saying to the house in substance, that the members were not earning their pay and that it would be better for the province that they should go home. In order to refute this charge, which they considered a slander, the members of the house at once voted to publish their journal. This policy once inaugurated was thereafter continued and the distribution of copies of the house journal among the small towns brought the knowledge of what was going on in the political world in Boston, for the first time, within reach of the groups gathered in winter round the open fires in the country taverns, and for the first time their discussions could deal with the actual, existing politics, which from session to session controlled their representatives. Thus was established a means of communication with a people not otherwise in touch with current politics; thus was created an active interest in such matters throughout the province, thus was suggested how the same people could be reached when at a later date organized correspondence was desired. - Thus also is explained the phenomenal interest in politics which came to be developed in Massachusetts.

The period covered by Dudley's career, apart from the dramatic incidents connected with the overthrow of the Andros government, was full of historical interest. A people who for half a century had maintained an independent government were stripped of their privileges and subordinated to the control of a power whose first thought was of its own aggrandizement. Acquiescence in this transition was never thoroughly accomplished and the collisions with Dudley depicted by the



author show how difficult the situation was. It is with this peculiarly interesting period of political upheaval that our author deals while nominally furnishing details concerning the life and character of a participant. Letters, speeches, official documents, contemporary publications, records in England and in America, furnish the facts which, strung upon a thread of narrative, portray the circumstances of the times, the character of the man, and the extent of his service. The story is told with evident attempt to throw off prejudice and do full justice to a man whose career made him the object of animadversion on the part of many of his contemporaries.

Professor Kimball several times in his narrative draws inferences from the fact that the council was elected by the representatives. The charter required the election of the council by the General Court. The difference was slight and the same inferences would probably be justified by changing "house of representatives" to "General Court" in these references. The assertion on page 89 that Elisha Cooke never sat in the council during Dudley's administration ought to be modified. Dudley relented, and in the fall of 1715 Cooke's name is to be found in the roll of councillors. The statement, page 193, that the charter "directed that in case of the absence or the death of the governor, the administration should devolve upon the lieutenant-governor, or in case of his incapacity, upon the eldest councillor", is not strictly correct; "entire council" should be substituted for "eldest councillor". The affairs of the province were administered several times by the executive council.

Such errors as these are insignificant in a work whose every page indicates patient industry. The author is to be congratulated on having set forth the history of an interesting period, and the friends of Dudley cannot say that he has not done the best he could to make out a case for the governor. The whole subject is opened up to the student by an excellent index.

ANDREW M. F. DAVIS.

*France in the American Revolution.* By JAMES BRECK PERKINS. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xix, 544.)

A SPECIAL interest is attached to this book from the fact that it is the last in a series of notable studies in French history which constitute the writer's title to a place among American historians.

The present volume, published more than a year after the author's death, has been prepared for the press under the supervision of Mrs. Perkins with the valuable aid of Professor Van Tyne of the University of Michigan—a sufficient assurance that we have before us the result of careful editing.

A further tribute to the labors of Mr. Perkins is paid in the introduction to the book written by the French ambassador at Washington,

M. Jusserand, who embraces the opportunity not only to commend the tone and substance of this history but to emphasize the sympathetic attitude of France toward the struggle of the American colonies for independence.

The aim of the author evidently was to present a complete and well-rounded delineation of the part played by France in the liberation of the colonies. To set this in full relief Mr. Perkins begins with a description of the financial, military, and moral condition of the colonies before the French intervention, showing, largely from the writings of Washington, how desperate that condition was. Then follow a rapid summary of the contest between France and England for empire in America, an excellent account of the negotiation and significance of the treaty of Paris, and an analysis of the diplomacy of Vergennes.

In estimating the motives that led to active intervention on the part of France Mr. Perkins exemplifies the admirable balance that is perhaps his most characteristic quality as an historian. His view is that France would inevitably have become our ally, no matter who was at the head of her foreign department; but it was in fact the cautiously exercised influence of Vergennes that overcame the sluggish indifference of Louis XVI., who certainly had no admiration for revolutionists.

But, like every prudent statesman, Vergennes was unwilling to embroil his country in a foreign quarrel without the prospect of advantage from it; and in 1775 he wrote: "The spirit of revolt, wherever it appears, is always a dangerous example." It was not therefore until Franklin had exercised his potent influence, the sentiments of the French people had been touched by the struggle for freedom, and the cause itself had made such advance as to render its triumph certain if aid were promptly furnished, that Vergennes counselled an open alliance with the colonies.

Even from the beginning however public opinion in France was favorable to the colonists, and the government itself was unofficially helpful. It is in the record of the development and expression of this real but officially unavowed friendliness that the dramatic interest of this period of history very largely consists. With strict fidelity to the documentary evidence, Mr. Perkins follows the negotiations of Deane and Franklin and the extraordinary activities of Beaumarchais. The official transactions reveal what we should expect them to reveal, a constant display of political prudence. The mental attitude of Vergennes with regard to the colonists is well expressed in his letter of January 12, 1777, to the Spanish minister. "We know", he says, "that republics are less sensible than monarchies to the requirements of honor, and that they regard fidelity to their engagements only as a means to advance their interests, by which alone their action is determined." With the example of the treatment received by Beaumarchais before him, the minister could have proved that his strictures were not mere innuendo.

While, as Mr. Perkins fully demonstrates, the aid furnished by France certainly shortened, and in the circumstances determined, the

issue of the struggle, there was in the policy of the monarchy no sentiment whatever. Everything was done by deliberate calculation. But, on the other hand, it is not doubtful that the sympathetic attitude of the French nation was an element in that calculation which cannot justly be overlooked.

In the use of authorities Mr. Perkins has displayed intelligence, and has indicated his sources with precision. Strictly original research was not necessary for his purpose. Doniol, Wharton, Loménie, and Durand had rendered accessible the most important contents of the archives, and the period is rich in personal letters, memoirs, and biographies.

Mr. Perkins's enduring title to a place among historians will rest chiefly upon his sincere love of truth, his diligence in seeking it, his sound judgment of men and policies, his lucid style, and his artistic sense of fitness and proportion. His early ambition was to be a man of letters, and in this he was easily successful.

It is due to him as a fellow craftsman that there should be placed on record in this REVIEW some mention of his great merits as a patriotic citizen and as a public officer. His personal purity in politics and his devotion to the public interest were conspicuous. As a representative in Congress through several terms he rose to be chairman of the House Committee on Foreign Affairs, a position which he filled with distinguished ability. It was the expressed intention of the President to appoint him to a high diplomatic post, which he would have adorned. His death was a loss to the nation as well as to historical literature, but he had already won a secure place among scholars in statesmanship.

DAVID J. HILL.

*The Origin and Growth of the American Constitution: an Historical Treatise.* By HANNIS TAYLOR, Hon. LL.D. of the Universities of Edinburgh and Dublin. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xlii, 676.)

AFTER thirty years of study of the origin and development of the English and American constitutions, Mr. Taylor considers himself amply rewarded in having discovered a "priceless document" that "explains for the first time the real history of the invention of that marvellous system of government . . . given to the world by the Federal Convention" in 1787. The document in question is Pelatiah Webster's *Dissertation on the Political Union and Constitution of the Thirteen United States of North America*, published in 1783. Of this it is only necessary to say that it has always been known to students of the subject, who have not been inclined to Mr. Taylor's view of its importance but who, without disparaging Webster's originality and power of thought, have generally believed that the American Constitution would have taken its present form if the pamphlet in question had never been written, or, indeed, if Webster himself had never lived.

This obsession of the author, that Pelatiah Webster is to be given all the credit for "the great discovery in modern political science" embodied in the Constitution of the United States, dominates this whole portion of the work. It is dragged in at every conceivable opportunity, and sometimes when there is no opportunity at all. All sense of proportion is lost, for everything is subordinated to the development of this one idea. The author admits (pp. vii and 16) with regard to the Webster pamphlet that "so far as this book is concerned, it is a mere episode", but of the 200 pages devoted to the origin of the American Constitution, over one-fifth directly, and many more indirectly are given up to showing its importance.

The author's belief that "despite the long-standing popular misconception to the contrary, no deliberative body ever had its work so cut out and arranged beforehand as the Federal Convention of 1787" (p. 178), has led him among many other misconceptions and errors to accept the spurious Pinckney Plan as genuine and as the basis of the draft of the Committee of Detail. The carelessness and bias which vitiate his treatment of the subject are well illustrated by a single statement that must astonish the managing editor of the *REVIEW*: "Professor Jameson and ex-Chief Justice Nott have, in a luminous and convincing way, demonstrated the genuineness of the copy of that all-important plan furnished by Pinckney to the Secretary of State in 1818" (p. 9).

Such a mishandling of the subject destroys, of course, much of the value that this part of the work might otherwise possess. Mr. Taylor has previously evinced his ability to write readable and popular books upon rather abstruse subjects, but his insistent harping upon one idea, and a mistaken one at that, is almost certain seriously to interfere with the popularity of his work in the present instance.

The remainder of the work, upon the development of the Constitution, is irregular in character as it is in treatment. An excellent chapter (VIII.) on "The First Twelve Articles of Amendment" is followed by one of forty pages on "African Slavery and Its Consequences", while a single chapter of forty-five pages is allotted to "Sixty-one Years of Constitutional Growth (1804-1865)". Chapter XI., on "The Civil War Amendments", properly devotes a large proportion of its space to the Fourteenth Amendment but without adequately developing the scope that has been given to it by judicial interpretation. A short chapter on "Our Colonial System" is followed by one of the longest and of most immediate interest in the book, upon "Inter-state Commerce, Trusts and Monopolies", which would have been rendered more valuable if it could have included the recent decisions of the Supreme Court. A brief chapter, "The Outcome of Our Growth", concludes the text.

A voluminous appendix of 200 pages in smaller type is marked by the faults and virtues of the main work. Twenty documents are included, beginning with the Articles of the New England Confederation of 1643, and ending with the Constitution of the United States, with references to judicial decisions, to date. The inclusion of most of the



items is explainable, if not defensible, but why the Declaration of the Stamp Act Congress, the Declaratory Act of Parliament of 1766, the Mecklenburg Declarations, both spurious and authentic, and the Virginia Bill of Rights of 1776 should be selected, to the exclusion of documents really vital to the argument, it is hard to understand.

An excellent index completes the volume.

MAX FARRAND.

*The Letters of Richard Henry Lee.* Collected and edited by JAMES CURTIS BALLAGH, Ph.D., LL.D., Professor of American History in the Johns Hopkins University. Volume I., 1762-1778. (New York: The Macmillan Company. 1911. Pp. xxvii, 467.)

THIS excellent edition of the letters of Richard Henry Lee is disappointing in no particular. The interest, the value, the freshness, and the significance are all that such a publication would lead one to expect. Lee was always to the forefront in the revolutionary advance. It was he who drafted the "Articles of Association by the Citizens of Westmoreland", binding themselves "at every hazard, and paying no regard to danger or death" to prevent the execution of the Stamp Act. In July of 1768, he was urging the creation of committees of correspondence, and among the first he congratulated Dickinson and Samuel Adams. April 1, 1776, he was urging independence, and within three weeks pleaded for foreign embassies. He was one of the first on hand with ideas for new state governments and in urging a confederation. In fact he was always ready with vague, general plans for correcting the times that were "out of joint", but rarely with specific devices. True patriot he was, ready to work himself blind and sick for the cause; he was not cool and calm and logical enough to be a great statesman. He became excited and worked madly on Congressional committees until he "panted for retirement from the most distressing pressure of business I ever had conception of". As a member of the war committee Lee writes letters that give much light on the military plans of Congress, Washington's relations with that body, and its difficulties in getting military supplies. The part which necessary inoculation against small-pox played in delaying the organization of armies in America is graphically shown in Lee's letters. Radical as he was he saw clearly the incongruity of democracy and military efficiency. He scolded constantly about the folly of the militia system, and urged the formation of regular armies. His plea for a naval force is insistent, and his letters furnish much detail about the British blockade of the coast, especially of Maryland and Virginia. America was like an island, he declared, and could not hope for decisive victory while Britannia "ruled the waves". As early as July 22, 1777, he foresaw Burgoyne's defeat or capture, because at his distance from the sea no naval rescue was possible. "Curse their canvas wings", he cried. After the French alliance and the coming of the French fleet, he was sure of ultimate success.

Lee's judgments like those of most men were a mixture of good and bad. He sent out to friends a good deal of misinformation, especially rumors of British misfortunes, which he accepted with optimistic eagerness. The *ignis fatuus* of a Spanish alliance he pursued till the dawn of peace. He had a most provincial confidence in foreign adventurers, urging Virginia ceaselessly to employ one to train the state's artillery. The flight of Congress to Baltimore he resisted to the last, necessary though it was. Finally, he approved of breaking the Saratoga convention. On the other hand he showed the greatest good sense in urging the necessity of taxation to sink the vast paper money issues. Again, he saw as clearly as Franklin how little significance there was in Howe's capture of Philadelphia. As to men his judgment was often bad. One can forgive him his amiable overestimation of his truculent, trouble-brewing brother, Arthur Lee, and even his implacable enmity to Silas Deane, for fraternal communications corrupted him there; but his enthusiasm over Gates, and the fact that he apparently brought that wolf, Charles Lee, into the fold—introducing him as the "able friend of liberty and mankind", that "warm, spirited foe to American oppression"—is less creditable to his judgment. In Lee's personal affairs there is much of interest. There is evidence that he and other Virginians were hard pressed financially in the period before the war, enough, indeed, to account for their discontent. In fact these letters reveal that the Virginian, with all of his scorn of the "Yankee pedlar", was quite as much engrossed with selling his tobacco, as was the trader with the sale of his Yankee notions. Lee's early letters are filled with data about the methods of trade with England, how vessels were loaded, the troubles with captains, the buying of clothes, medicines, and even eyeglasses, from over the sea.

Lee spoke and wrote habitually in rather exaggerated language. The Stamp Act's "intrinsic vileness", the "parricidal heart" of the stamp collector, "the diabolical wickedness of that execrable court", and the "infamous perseverance of the devils of despotism" are the only rhetorical outlets for his feelings. Against the Tories he is very bitter, and also against the backward states Maryland and Pennsylvania, while the idea of reconciliation is a red flag to this revolutionary Taurus. He is as sentimental, or rather sententious, as Joseph Surface, going repeatedly into long moral disquisitions. Some phrases, like "sunshine of liberty" and "dark arts of tyranny", become wearisome. With Latin phrases and the classic myths he shows acquaintance, also with French and French authors—especially Montesquieu. Shakespeare, Pope, Junius, and Butler's *Hudibras* are the English literary fields where he had most gleaned.

Dr. Ballagh's editing leaves nothing to be desired. It is a model of what such work should be. The second volume will of course contain an index, and with that the publication is beyond criticism.

C. H. VAN TYNE.

*Louisiana under the Rule of Spain, France, and the United States, 1785-1807: Social, Economic, and Political Conditions of the Territory represented in the Louisiana Purchase, as portrayed in hitherto unpublished contemporary accounts by Dr. Paul Alliot and various Spanish, French, English, and American Officials.* In two volumes. Translated or transcribed from the original manuscripts, edited, annotated, and with bibliography and index by JAMES ALEXANDER ROBERTSON. (Cleveland, Ohio: The Arthur H. Clark Company. 1911. Pp. 376, 391.)

THE volumes prepared by Mr. Robertson on the social and political condition of Louisiana about the time of the cession to the United States form a most valuable and interesting aid to the student. Many of the documents in the volumes, though not printed before, were used by Mr. Henry Adams in his richly documented *History of the United States*, being printed from his transcripts, now in the Bureau of Rolls and Library at the Department of State in Washington. But others represent materials quite new to the ordinary student, chiefly from the increasing collection in the Library of Congress. In his preface, the editor explains that the papers reprinted represent merely a selection from the documents available, omitting, for example, all papers bearing upon the Burr episode. The richness of the material selected can be understood from a few items. In the first volume we have a very full and free account of Louisiana by Dr. Paul Alliot, a new document given in French and in English; an account of the political condition of Louisiana about 1785, by the Spanish intendant, Martin de Navarro, showing the nervousness of the Spanish officials lest the English or the Americans should penetrate the barrier which they sought to interpose above Mexico; a similar document from Governor Gayoso de Lemos on conditions in Louisiana, 1792; and a military report on Louisiana and West Florida, by Carondelet, 1794. In the second volume, we have the correspondence of the English ambassadors in regard to the purchase of Louisiana by the United States; the very significant Casa Irujo correspondence indicating the anxiety of the Spanish upon that subject; a fairly complete collection of documents relative to the vexed question of the boundaries of Louisiana, from Spanish and French officials and from Claiborne and Wilkinson; considerable excerpts from the letters of Claiborne to Madison and others; and Vicente Folch's reflections on Louisiana, showing, in his own words (p. 328) "the dangerous tendency of the retrocession of Louisiana to the French government", and the fears excited in the breast of every patriotic Spaniard, continues the governor of West Florida, by that retrocession.

The selection of documents to illustrate conditions in Louisiana seems to have been made with care. We have the opinions of officials and the impressions of unofficial observers, Spanish, French, and American. We could hardly expect more in the compass of two volumes; but we cannot help expressing a regret that the editor did not carry out the "intention

to compile a calendar of all the manuscript letters treating of Louisiana for the period embraced in the documents of the volumes, which exist in the Library of Congress and in the Department of State in Washington". The need for such a compilation is rather emphasized by the avowedly imperfect nature of the bibliography and notes. The editor, being called away from Washington before his work was completed, has given us work that is somewhat uneven in these important matters, with omissions which he, of course, could not help, but which we cannot supply. This part of the work, therefore, represents a starting point, rather than a definitive study.

The document given chief place in the collection is the memoir by Dr. Paul Alliot, a physician whom we might harshly call a quack, since he professed to cure (I. 146) practically all diseases, including "cancers or cankers, even after gangrene has set in". Dr. Alliot, after a quarrel with officials and with a wealthy surgeon at New Orleans, was deported and variously persecuted. Hence his reflections upon Louisiana are not unsuited with personalities, and are perhaps the more valuable in that he has manifestly set himself the task of delivering a plain unvarnished tale, which becomes in some measure a tale varnished by his resentments. The volumes are generally well printed, but not free from errors; one of these, on page 82, misprinting the last letter of the French word *cou*, produces a complete inversion of the sense. But though there are few misprints that matter, one can not but regret that the translation of Dr. Alliot's French is so stiff and unidiomatic. We have space for but one illustration: the French *appointement*, preferably in the plural, is not equivalent to English *appointment*, by which it is rendered (pp. 77, 79), but should be given idiomatically, salary or stipend.

PIERCE BUTLER.

*A Documentary History of American Industrial Society.* Edited by JOHN R. COMMONS, ULRICH B. PHILLIPS, EUGENE A. GILMORE, HELEN L. SUMNER, and JOHN B. ANDREWS. Prepared under the auspices of the American Bureau of Industrial Research, with the co-operation of the Carnegie Institution of Washington. With preface by RICHARD T. ELY and introduction by JOHN B. CLARK. Volumes VII., VIII., IX., and X. *Labor Movement.* (Cleveland, Ohio: The Arthur H. Clark Company. 1910-1911. Pp. 364, 346, 379, 370.)

VOLUMES VII. and VIII. of the *Documentary History of American Industrial Society* cover the history of the American labor movement from 1840 to 1860. These two volumes differ widely in their plan from the two preceding volumes which dealt with the period 1820-1840 (reviewed in this journal, XVI. 359). This difference is due to the difference in the character of the movement in the two periods. From 1820 to 1840 the labor movement possessed unity and continuity while from 1840 to 1860 it was broken up into several unconnected and even



opposing movements. The result is that while the sections in volumes V. and VI. deal with the history and activities of various labor organizations arranged in the order of their emergence, the sections in volumes VII. and VIII. deal with various movements which in part are contemporaneous and conflicting. The documents are divided into five groups according as they relate to Economic and Social Conditions, Owenism and Association, Land Reform, Hours of Labor, and Labor Organizations.

The first group of documents, entitled "Economic and Social Conditions", is intended to afford a view of the conditions which influenced the labor movement of the period. They relate chiefly to immigration and the rising factory system. Although none of the documents in this group throws new light on the economic conditions of the period, they are well selected to illustrate those conditions.

The section devoted to Owenism and Association consists chiefly of extracts from the *New Moral World*, the *Harbinger*, and the *Phalanx*. They enable the reader to follow the chief events in the Fourierite movement, but they do not add much to our knowledge. Noyes, Nordhoff, and Hinds appear to have exhausted the material on the subject. Few parts of American social history have been studied so assiduously as the communistic experiments and it was hardly to be expected that much new material would be found even by such diligent search as is here in evidence.

The documents under the head of Land Reform lie in a field much less tilled by historians and the treasure turned up has been correspondingly richer. The documents cover the development of the "Vote yourself a farm" propaganda, its relation to other movements of the period, the Industrial Congress, and the debates on the public lands in Congress in 1846 and 1852. The sources are chiefly the *Workingman's Advocate* and *Young America*, workingmen's newspapers published by George Henry Evans, the prophet of the movement. There are also numerous extracts from the *New York Daily Tribune* and the *Congressional Globe*. The documents are highly interesting since they show that the inception of the homestead-exemption legislation of the forties can be traced directly to the influence of Evans and the workingmen's movement of which he was the father. The editors also show that the ultimate adoption by the federal government of the policy of granting lands to actual settlers was largely due to the same influence.

The documents relating to hours of labor are chiefly drawn from the *Awl*, the *Voice of Industry*, the *Workingman's Advocate*, and the Massachusetts state documents. They deal with the proceedings of the New England Workingmen's Association, 1845-1847, the reports made by the committees of the Massachusetts legislature on the effects of long hours of labor, and the New Hampshire and Pennsylvania ten-hour laws passed in 1847 and 1848. The most interesting of the documents are the extracts from the labor newspapers of the period, in which the development of the agitation and the views of the leaders are shown with great clearness.

The final section, on Labor Organizations, covers a wide range, *e.g.*, convict labor and the organization of women workers. The most important set of documents relates to the organization of co-operative and benevolent trade-unions from 1845 to 1851. The New York State Industrial Legislature and the New England Industrial League were the offspring of this movement. It is clearly shown by the documents here printed, consisting chiefly of extracts from the *Mechanic's Mirror*, *Workingman's Advocate*, *Voice of Industry*, and other labor newspapers, that productive co-operation was much in favor at the time as a solution of the labor problem.

In 1853-1854 there was, as is well known, a rapid increase in the number of trade-unions which relied on collective bargaining and not on co-operation. The oldest American national trade-union dates its continuous existence from 1850. At least five national unions still active—the printers, the hatters, the stone cutters, the glass bottle blowers, and the iron molders—were organized between 1850 and 1860. It is disappointing to find no documents relating to the organization of these unions. The only documents relating to the revival of “pure and simple” trade-unionism are the proceedings of a central labor union in New York City and of a New York state convention of cigar-makers.

Volumes IX. and X. cover the history of the American labor movement from 1860 to 1880. The documents are divided into seven groups, entitled Labor Conditions, National Labor Union, Ira Steward and the Hours of Labor, International Attempts, Knights of Labor, and Farmers' Organizations.

The documents in the section devoted to Labor Conditions relate to the increasing cost of living due to the Civil War and to the inflation of the currency, the importation of European and Chinese labor, and the organization of employers' associations. The documents relating to the first two subjects are merely illustrative of conditions already well known to students, but those relating to employers' associations are important, since they show that the employers were better organized at this period than has heretofore been supposed.

The group of documents relating to the National Labor Union is one of the most valuable in the *History*. Apparently only the proceedings of the second session were printed separately, but accounts of the proceedings of the other sessions have been found by the editors in *Fincher's Trades Review*, *Daily Evening Voice*, *Workingman's Advocate*, and other labor newspapers of the period. It is a matter of regret that the editors have not reprinted these accounts in full. Probably on account of limitations of space, numerous omissions have been made. Brief editorial summaries supply to some extent the gaps, but the usefulness of the accounts as historical material remains greatly impaired. The National Labor Union is of interest not only to students of trade-unionism as the precursor of the Knights of Labor and the American Federation of Labor, but also to students of the political and social movements of the time. From 1866 to 1871 the National Labor Union

was a meeting-place for the advocates of woman's suffrage, cheap money, co-operation, eight-hour legislation, and almost every other panacea for social and industrial evils.

The eight-hour movement which began to be important in the United States in 1863 is attributed by the editors largely to the efforts of Ira Steward, a Boston machinist. The documents relating to this movement are chiefly pamphlets and addresses by Steward.

The documents in the section on International Attempts are comparatively few and relate chiefly to the attempts of the leaders of the International in the United States to secure control of the National Labor Union. The most important documents are extracts, now printed for the first time, from the copy-book of F. A. Sorge, the leader of the American branch.

The documents relating to the Knights of Labor are disappointing both in number and character. They are intended apparently merely to illustrate the secrecy of the order and its resemblance to the fraternal associations of the period, and consist of the initiation ceremony, the founding ceremony, the great seal of the order, and an extract from the *National Labor Tribune* on the rapid spread of secret orders.

Of the documents relating to Farmers' Organizations about one-half are from Periam's *The Groundswell* and Kelly's *Patrons of Husbandry*. Nearly all the remainder are from the *Proceedings* of the National Grange of the Patrons of Husbandry. The extracts for the most part are brief and with numerous omissions. They serve however to illustrate the salient features in the development and activities of the Grange.

Volume X. contains a finding list of the sources quoted and an elaborate index to the entire *History*.

GEORGE E. BARNETT.

*Rapport sur les Archives de France relatives à l'Histoire du Canada.*

Par J.-EDMOND ROY. Publié avec l'autorisation du Ministre de l'Agriculture, sous la direction de l'Archiviste. [Publication des Archives du Canada, no. 6.] (Ottawa. 1911. Pp. 1093.)

THIS report is the result of a five months' mission to France the object of which was, first, "to study the organization of the archive depots of that country and the method of classifying their manuscripts", and secondly, "to prepare a general inventory of the documents in those depots of interest to Canada". As regards the study of French archival administration it must be confessed that it has by no means received that comprehensive and logical treatment that would make the book of value in the solution of Canadian or American problems. A few of the better known facts in the history of the French archives, extracts from laws and decrees, and superficial descriptions of the conditions in certain depositories, are scattered through the volume, but one will learn far more in less time by consulting the article Archives by M. Lelong in the *Répertoire Général Alfabétique du Droit Français*.

M. Roy has fulfilled the second object of his mission by extracting, mainly from printed catalogues and inventories, all that seemed to him of interest for Canadian history. This he has done so comprehensively that it seems hardly probable that any public depository of archives or manuscripts in France at all likely to contain important Canadian material has been passed over. It is evident however that such a compilation adds very little to the readily obtainable information already at our disposal. With the exception of the few cases where M. Roy has copied from unprinted inventories (mainly in the Dépôt Hydrographique de la Marine), or has himself examined the documents (principally in the case of about fifteen volumes in the Ministry of War, a few volumes in the colonial archives, and a larger number of volumes in the Bibliothèque Nationale) his report might as well have been compiled in Ottawa as in Paris, and most students will probably still prefer to examine the catalogues for themselves. Indeed it will be much better for them to do so, for the present compilation is doubly misleading. Not only does it mention volumes which upon examination are found to contain nothing even remotely relating to Canada, but it fails to indicate, even by suggestion, a vast number of volumes that do contain material. For example, out of about a hundred volumes in the archives of the Ministry of War that have been found to contain documents relating to Canada only thirty are mentioned by M. Roy. The number of volumes in the Bibliothèque Nationale which he mentions could be greatly increased, and his indications respecting Canadian material in the Archives Nationales are so inadequate as to be derisory.

The workmanship of the report is intolerably poor. Proper names, even when copied from printed volumes, are continually misspelled, shelf-marks are erroneously indicated, documents are incorrectly dated, such terms as *ibidem* are wrongly used, and, in general, typographical infelicities abound to such an extent that one wonders if the proof-sheets were even looked at. Furthermore there is much padding either by useless repetitions or by the inclusion of material that is unnecessary or actually out of place in such a report, such as twenty pages on the trial of Bigot, or fifty pages of documents relating to Acadian families.

Finally it should be noted that the appearance of considerable learning imparted to the report by the numerous historical and bibliographical paragraphs and foot-notes is due to the fact that this equipment of scholarship is, for the most part, taken bodily, without quotation marks or other indication, from the various catalogues and other printed works that have been consulted and especially from the classic manual by MM. Langlois and Stein, *Les Archives de l'Histoire de France*.

W. G. LELAND.



## MINOR NOTICES

*Psychology of Politics and History.* By Rev. J. A. Dewe, M.A., Professor of History at the University of Ottawa, Canada. (New York and London, Longmans, 1910, pp. v, 269.) "It is an undoubtable fact that states do not remain in the same condition." Owing partly to outside influences but chiefly to influences within the nation, there is a general movement toward progress or decay, toward greater strength or weakness. "It is the purpose of this volume to show what are the general and fundamental laws and tendencies that govern this movement."

These laws, the author is persuaded from the outset, lie in the psychological field. "Human passions, human desires, and the complex movements of the human mind are the real elements that have to be taken into consideration." Now, "society is made of individuals, and therefore what the individuals are, that society as a whole must be." Accordingly, "the object of our research must be to consider scientifically the constituents of this [human] element in the individual and then to see how its workings affect the condition of society".

Pursuing thus "first, the study of what happens to the individual, and secondly, the study of the symptoms of corresponding phenomena in the nation itself", Mr. Dewe sets forth that "there are approximately eight psychological tendencies or laws which explain the progress and decline of nations". Among these is what he calls, in one place, "harmony of the social element", in another, "harmony between the state and extra-state elements". One of the points he makes in the chapter devoted to this matter should give some fair impression of the book as a whole. The suppression of monasteries and dispersion of religious orders, he says, are a result of a noxious maxim about the extent of the state's authority. "While it is admitted that the Church can and should suppress those orders which by interfering unduly in politics, or by entangling themselves in financial difficulties are a menace to the welfare of society, yet the unauthorized suppression of monasteries and convents by the State is a violation of the extra-state rights of man. . . . Man's right to cultivate virtue cannot be impugned. And a part of this right is the association of persons into a society or organization whose sole purpose is the practice of virtue" (p. 63).

Mr. Dewe's book, quite clearly, is a work neither of psychology nor of history. It rather offers guidance in practical politics—guidance based in some sort on psychology and history.

*The Place of History in Education.* By J. W. Allen, Hulsean Professor of Modern History at Bedford College, University of London. (New York, Appleton, 1910, pp. vii, 258.) This volume is apparently an exact reprint of the English edition which appeared two years ago. It is a searching examination of the definition and nature of history, and of its place in a scheme of education. It is closely reasoned and almost over-particular in the desire to anticipate and meet every possible objec-

tion to a point of view. History is defined as the result of a treatment of the past life of humanity by the human mind. This treatment the author regards as a science, the object of which is to ascertain "truth as exact as we can get it", and he regards determinism as an indispensable assumption for dealing with this science. The supreme object of the historian is a knowledge of causal relations: "He needs facts only to explain other facts" (p. 41). The author holds that the scientific historian has no business with the dramatic or the picturesque, the tragic, the comic or the pathetic, all of which are merely irrelevant. He does not object to a treatment of history as a pageant, provided it is avowedly non-scientific, and is admittedly literary and for entertainment, and not for instruction. Nearly half of the volume is devoted to this preliminary discussion.

The author next proceeds to discuss the nature of education, among the prime objects of which he finds "the emancipation of the intelligence" (p. 123). "We want to make it easy and even habitual to suspend judgment" (p. 124). For such training he finds value in the study of scientific history, and discusses the materials and methods to be used in teaching it. He has no toleration whatever for the teaching of history with a distinctly patriotic or moral aim. A brief but interesting chapter "Concerning Differences of Sex" holds that "the education that will be good enough for women will be just good enough for men". The discussion of the beginnings of historical study is sound and extremely suggestive, great emphasis being rightly placed on the study of the village or community as a society in little (p. 195). From this it is easy to work back to government, and to introduce the idea of time and change. The author prints three brief studies on "The Reformation", representing in purposely exaggerated form the Protestant, the Catholic, and the social-political point of view.

The volume is unique in this field, and a very suggestive and stimulating study which American teachers may read with great profit.

J. M. GAMBRILL.

*The Study of History in Secondary Schools.* Report to the American Historical Association by a Committee of Five; Andrew C. McLaughlin, Charles H. Haskins, James H. Robinson, Charles W. Mann, James Sullivan. (New York, Macmillan, 1911, pp. 72.) The Committee of Five making this report, appointed in December, 1907, was composed of three college professors and two secondary school men; of the latter, however, Mr. Charles W. Mann died a little over a year after the committee was appointed. Two members of the committee were also members of the Committee of Seven which reported upon the same subject in 1899. While taking the report of the earlier committee as its starting-point, the Committee of Five made a new study of the actual conditions of history teaching in the schools, and again entered upon a careful consideration of the history curriculum. In this study and consideration it obtained facts and opinions from all parts of the country

through answers to circulars of inquiry and by discussions in meetings of history teachers.

The report is much briefer than that of the Committee of Seven; it embodies few statistics, has no consideration of the purpose of history teaching, gives few detailed suggestions as to method, and in all contains less than nine thousand words. Yet it is in many respects a model of what a committee report should be. It is sane and self-controlled in the face of strong temptations toward radicalism and controversy; it is helpful and stimulating, so that any teacher of history will rise from its perusal a better teacher and a more enthusiastic historical scholar; and it is written in such an interesting style that the reviewer believes it will be read with pleasure by many not actually engaged in the teaching of history. The report divides logically into two unequal parts; the larger portion containing a consideration of the best ways of handling the historical periods recommended by the Committee of Seven, the remainder being devoted to a discussion of proposed new courses in history.

In discussing the four divisions—Ancient, Medieval and Modern, English, and American—the report first notes how widely these periods have been adopted throughout the country; then it proceeds to answer some criticisms which have been made to the division; and lastly it suggests practical means for rendering this course of four subjects more manageable. More important than any questions of curriculum is the securing of properly trained teachers of history. Under such teachers the schedule will be practicable, because they will not try to cover the “whole range of history with a layer of information of uniform thickness”, but by wise omissions and clever condensations in some places will find time to plough deeper in others. This sentence gives, indeed, the key-note of the whole report: in the ancient history course the constitutional development of Athens and of Rome should be subordinated to those facts which the first-year high school student can comprehend; in the other fields the unimportant and unintelligible must give place to the significant and the comprehensible. The teacher, closely in touch with the facts of history and with the psychological limitations of his class, must continually select his material. Eschewing mere memorizing on the one hand, and indistinctness and uncertainty on the other, he should obtain two products from his students: a firm grasp of a reasonable quantity of facts, and a sense of the meaning of historical facts and appreciation of what history is. Under the American history course, the report advises the giving of American history and American government as two parallel courses in the fourth year, three-fifths of the time to be given to history and two-fifths to government.

In the second place, the report submits a suggested new schedule of courses, growing out of the strong demand recently appearing for a greater emphasis upon modern history. This schedule includes (a) Ancient history to about 800 A.D.; (b) English history to 1760, showing as far as possible the chief facts of European history and something

of the colonial history of America; (c) Modern European history from about 1650, with an introductory account of antecedent development, and including the history of England from 1760, and something of American colonial history; (d) American history and government. This schedule it is not proposed to substitute for the old at once in every school; it is presented by the committee as meeting the demand for a more detailed study of recent European history, and as practicable in schools which are well equipped to take up the serious study of the modern period. In the opinion of the reviewer, it would not be possible to extend it at all widely until history teachers are better trained, until new text-books are written, and until history classes are better equipped with the materials needed for their study.

A. E. MCKINLEY.

*The Roman Wall in Scotland.* By George Macdonald, M.A., LL.D., Honorary Curator of the Hunterian Coin Cabinet, University of Glasgow. (Glasgow, James MacLehose and Sons, 1911, pp. xvi, 413.) The new book on Antonine's Wall is popular in style, while scientific in substance. All the evidences are collected and skilfully discussed. That two such works as this and Mr. Curle's *A Roman Frontier Post* should appear almost simultaneously is an evidence of activity in Romano-British archaeology. In fact the discoveries made at Newstead and splendidly presented in Mr. Curle's book are an incentive to exploration; Dr. Macdonald makes frequent reference to them and is inspired (*e.g.*, p. 201) with great hopes of further pits awaiting the spade. His work not only is a masterly résumé of knowledge and opinion on the Wall, especially of the advance made in the last decade or two, but looks forward with suggestions to continued and profitable excavation.

Dr. Macdonald expresses a justifiable confidence (p. 383) that his book gives "a clearer picture of the fortunes of the Limes than it has hitherto been possible to obtain". In the first 90 pages he sketches the literary tradition, the Roman military and frontier system, and the older antiquaries' writings on the Limes. Then comes a general account of wall, ditch, "outer mound", and military way, followed by an itinerary of the route redolent of the pedestrian's intimacy. The comparative method is employed, with just knowledge of the German Limes, both here and in the study of the remains of the forts, which comes next and is perhaps the most important part of the work. After some chapters on inscribed stones and miscellaneous remains, the conclusion sets forth very clearly the import of the Limes to be not so much a war defense as (1) to impress the natives both north and south, and to mark the Roman boundary, (2) to keep watch over peace from forts unusually high-placed and provided with beacon-towers, (3) to keep frontier traffic to the recognized roads and prevent smuggling, (4) to cut down "isolated marauders". Its garrison of auxiliaries was probably not over 10,000 for the 36 miles of length, and thus, while its tenure lasted (some 40 years in the latter second century), it was a gendarmerie rather than an army.



On page 50 the author says that "the British legions were not necessarily raised locally in the age of the Antonines; every rule has its exceptions, and the area of the Romanized part of the province was small compared with the size of the force that the military situation demanded". Were any but a few Britons, apart from those drafted abroad, ever Romanized?

On page 65: "It would be a mistake to assume that the [defensive] policy of Augustus was abandoned through mere lust of power. The change was due rather to the irresistible pressure of circumstances. We can see this more clearly by noting what happened on the Rhine." Much more clearly indeed. What good reasons can be given for Claudius's invasion of Britain? As Dr. Macdonald says (p. 66, note 2), Claudius's withdrawal from Germany was probably due to "the strain that the conquest of Britain was imposing on the military resources of the Empire".

A very pleasing vein of humor crops out here and there in the book. It is interesting throughout. The illustrations are profuse, judicious, and handsome, the plans clear and well placed, and the index generally good.

W. F. TAMBLYN.

*Sidelights on Teutonic History during the Migration Period, being Studies from Beowulf and Other Old English Poems.* By M. G. Clarke, M.A. (Cambridge, University Press, 1911, pp. xiv, 283.) These studies "form an attempt to discover the amount of historical truth underlying the allusions to persons and events in the Old English heroic poems". The subject is one that has engaged the attention of many notable scholars; but Mr. Clarke is probably the first who has tried to investigate the entire field. The author rejects the older theory of mythological significance; he feels satisfied that with the exception of the Weland Saga all the tales have historical bases, though there has been much poetic amplification in every instance. Mr. Clarke reaches this result by a comparison of all the various forms in which the materials appear, Latin, Old English, Old Norse, and German; but most credence is given to the Anglo-Saxon versions, as they are the most ancient. These begin with *Widsith*, the core of which belongs to the fourth century, and close with the Beowulf materials which must have come to England about 550. In those days the famous Rolf Kraki ruled in Denmark, with suzerain authority, as the author believes, over Gauts and Swedes. Among his henchmen was one Bodvar Bjarki, the hero of the *Bjarkamál*, who has been identified with Beowulf, an identification that Mr. Clarke accepts. He also accepts the identification of the Geats with the Gauts in southern Sweden and rejects Bugge's hypothesis that they were not Gauts but Jutes. Bugge's belief received new support in a paper by Dr. Schütte of Copenhagen which was read at the recent meeting at Chicago of the Society for the Advancement of Scandinavian Study (*Publications*, vol. I., no. 1). Should this view prevail, Mr. Clarke's argument would need considerable revision. He concludes that Walter

of Aquitaine was really a Sueve or a Vandal belonging to one of those tribes that broke the Rhine frontier in 406-407. The Hengist of the Finn fragment he is inclined to regard as the Hengist of the Jutish invasion, in spite of the fact that the fight at Finnsburg was more than two generations subsequent to the landing at Thanet. Mr. Clarke has written an exceedingly interesting and suggestive work, but to accept all his conclusions would be a risky matter, as he is skating on extremely thin ice.

LAURENCE M. LARSON.

*Die Gesetzgebung der Normannischen Dynastie im Regnum Siciliae.* Von Hans Niese. (Halle a. S., Max Niemeyer, 1910, pp. vii, 215.) The thesis of Dr. Niese's book is that the law of the Norman kingdom of Sicily, instead of being of Roman and Byzantine origin as has been commonly supposed, was fundamentally West-Frankish, having been in part imported by the conquerors as Norman custom and in part developed by the kings of the twelfth century under the influence of Anglo-Norman and Angevin precedents. This view is elaborated with learning and acuteness and a certain measure of success, but it is not firmly established. Like too many German writers upon the history of law, the author suffers from the effort to carry out "ein durchgehendes Prinzip" and relies too frequently upon doubtful interpretations of single texts. He shows, however, a wide acquaintance with the legal sources of the period, including the Roman and canonical as well as the Germanic; his detailed analysis of the legislation of King Roger and his immediate successors is distinctly useful. We shall look with interest for the work on the legislation of Frederick II. to which this volume is designed to furnish the introduction. If Dr. Niese develops caution in proportion to his learning and ingenuity, he should be able to contribute considerably to the solution of a complicated and fascinating group of problems in the history of medieval institutions.

C. H. H.

*König Robert von Neapel (1309-1343): Seine Persönlichkeit und sein Verhältnis zum Humanismus.* Von Walter Goetz. (Tübingen, J. C. B. Mohr, 1910, pp. v, 72.) This is a sane and readable attempt to estimate the place of Robert the Wise in relation to the intellectual development of the fourteenth century. The author does not try to make Robert appear as a creative force, but rather as a many-sided personality who maintained a receptive attitude toward the new tendencies of his age. The king's temper was essentially scholastic, but he showed some appreciation of classical antiquity, and after all, as Professor Goetz well says, it was the scholastic revival of antiquity which opened the gates of the ancient world to the humanists. It is pointed out that humanism at the Neapolitan court did not begin with Petrarch, whose relation to the fore-runners of the Renaissance, in the kingdom of Naples and elsewhere, remains a matter of much obscurity. Goetz prints the headings of King

Robert's extant sermons, two hundred and eighty-nine in number, as they appear in the manuscripts; one wonders whether originally there may not have been, besides the occasional discourses, a complete series for Sundays and saints' days throughout the year. The author criticizes severely his predecessors, especially Baddely, for their neglect of the Angevin registers at Naples, but he does not himself appear to have made direct use of this inexhaustible storehouse of material.

C. H. H.

*Die Anfänge der Französischen Ausdehnungspolitik bis zum Jahr 1308.* Von Fritz Kern. (Tübingen, J. C. B. Mohr, 1911, pp. xxxii, 375.) When the development of royal power in France toward the end of the Middle Ages left the country free to turn its attention to the question of foreign expansion, it found itself hemmed in on every side by well-established states which forbade any such policy of colonization and settlement as the Germans were enabled to pursue on their eastern frontier, the Spanish to the south, or the English in the direction of Ireland. Consequently national expansion became wholly the work of the government, and the state of the Empire after the Interregnum made the eastern and southeastern frontiers a suitable field for its activities. It is the policy pursued here by Philip IV. that Kern has made the subject of a painstaking study which throws much light on the intricate political history of that much-discussed reign. The work is divided into three books, the first of which discusses the conditions and theories which underlay the French policy of this period; the second traces its development from the time of Charles of Anjou, whose schemes of world conquest continued through the reign of Philip III. to modify the true aims of French policy, down through the first seven years of Philip IV.'s reign, by which time the narrower but more practical ideas of that king had pointed out the way of future development; while the third book traces the negotiations and intricate procedure resulting in the annexation of Lyons and of territory along the Lorraine frontier, the partial absorption of Franche Comté and the formation of a league of Rhenish princes subservient to France, the whole culminating in the unsuccessful attempt to place a Capetian prince on the imperial throne in 1308.

Although this is the author's first book, he has already distinguished himself by a series of articles in the Austrian *Mittheilungen* ("Analekten zur Geschichte des 13. und 14. Jahrhunderts") and by a contribution to the volume of studies dedicated to K. Zeumer (noted in this REVIEW, XVI. 412). The new facts in the present work are largely drawn from his *Acta Imperii, Angliae et Franciae*, recently published under assistance from the Böhmer-Fund, the fruit of industrious researches among the hitherto unprinted archives dealing with the foreign relations of Germany in this period. Much of the value of the

book, however, consists in the bringing together of material scattered in monographs of local history and geography which enables the student for the first time to follow out the entire policy of French expansion at this period in all its intricate details and gives to it a more consistent and deliberate aspect than recent writers like Langlois have been willing to recognize. Occasionally a tone of national hostility to France obtrudes itself in the judgments of the writer, but this is to be found in those portions of the book dealing with the general aspects of the question rather than in the narrative sections.

A. C. HOWLAND.

*Le Bourgage de Caen: Tenure à Cens et Tenure à Rente (XI<sup>e</sup>-XV<sup>e</sup> Siècles)*. Par Henri Legras, Docteur en Droit. (Paris, Arthur Rousseau, 1911, pp. 525.) Both in subject and in method of treatment, the monograph of M. Legras offers an admirable example of what can be done with a doctor's thesis in the field of legal history. Its author has taken a definite and practicable topic and has investigated it, not only in the *coutumiers* and court rolls to which attention is too often confined, but in the mass of charters and contracts and notarial instruments of various sorts which show the concrete detail of legal institutions. Accordingly the nature and development of burgage tenure in relation to the lord receives less attention than the actual legal relations between townsmen so far as these are concerned with the tenure of land, and the results are significant for many phases of medieval law as well as for the mechanism of urban life. Caen offers an excellent field for an investigation of this sort, not only because of its rapid growth under the fostering care of the Norman dukes, but also because of the opportunities for comparative study afforded by the parallel development of its three constituent *bourgs* under the lordship respectively of the king, the abbot of S. Étienne, and the abbess of La Trinité. M. Legras wisely refrains from much generalization and comparison, though he shows an acquaintance with the German and Flemish literature of the field. Curiously enough he seems unfamiliar with the less abundant but for his purposes more significant discussions of burgage tenure in England, particularly Miss Bateson's writings and Dr. Hemmeon's recent articles. It is a pleasure to note that the author proposes to continue his studies of medieval land law and to treat at the same time the related matters of economic history.

C. H. H.

*Four Thirteenth Century Law Tracts*. By George E. Woodbine. (New Haven, Yale University Press, 1910, pp. 183.) Mr. Woodbine has placed before students of English legal history an excellent edition of four law tracts of the thirteenth century—*Fet Asaver*, *Judicium Essoniorum*, *Modus Componendi Brevia* (otherwise known as *Cum Sit Necessarium*), and *Exceptiones ad Cassandrum Brevia*. Too long have these lesser writings on English medieval law been known only by



name; and Mr. Woodbine has rendered a real service therefore by rescuing them from their manuscript hiding-places. Although not so important as other legal works of the thirteenth century—such as the writings of Bracton, Britton, *Fleta*, and the *Summae* of Hengham—they are nevertheless well worthy of careful study; and if careful study be devoted to them, they will undoubtedly supplement, and perhaps at places even correct, our present knowledge of thirteenth-century law in England.

The reader of these little tracts must not however expect to find in them much originality in legal thinking; for the years following upon the appearance of Bracton's great treatise were not years characterized by original thought along legal lines. But Mr. Woodbine is right in emphasizing the conciseness and practical utility of these small tracts. All four deal with the procedure of courts and the legal problems relating thereto; and in trying to appreciate the significance of the tracts for the law and the lawyers of the thirteenth century we must not forget that pretty much all the problems of substantive law in those early days resolved themselves around problems of procedure, the rules of the substantive law being concealed from the novice by countless rules of procedure and proof.

Not the subject of least interest discussed by Mr. Woodbine in his valuable introduction of fifty pages is the authorship of the tracts. The authorship of all four is uncertain; but there is some evidence that points to Ralph de Hengham, one of the greatest of Edward I.'s judges and the acknowledged writer of the *Summae*, as their possible author. Three of the tracts are attributed to Hengham by some manuscript or other, and, to quote our editor's words, "the internal evidence connects two of them so closely with the *Summae* of Hengham as to make it seem at least probable that he was the author". But we cannot go into this matter here; and indeed Mr. Woodbine's argument should itself be read in its entirety.

We are sorry that the learned editor has supplied no index of matters and no translation of the original text of the tracts. In the case of the *Judicium Essoniorum* and the *Modus Componendi Brevia* this absence of an English translation will not be felt so keenly, for they are in Latin; but the other two tracts are in Norman-French, and, though Maitland's work has increased the interest of historical scholars in that language, there are still many learned in law and in medieval times who do not pretend to fluency in it.

It is to be hoped that the scholar who restored to us the long-lost Thornton and who now presents us with this fine little collection of medieval law tracts will busy himself still further with matters of English medieval law and legal literature.

H. D. HAZELTINE.

*The Oak Book of Southampton of c. 1300.* Transcribed and edited from the unique MS. in the Audit House, with translation, introduction, notes, etc., by P. Studer, M. A., Professor of French and German at Hartley University College, Southampton. Vol. I. [Publications of the Southampton Record Society, edited by Professor F. J. C. Hearnshaw, M.A., LL.D.] (Southampton, Cox and Sharland, 1910, pp. xliv, 160.) The Oak Book gives an interesting picture of life in Southampton in the fourteenth century, its customs, its dominant ideas, its principles of government and trade. No mention of it has been detected in the numerous Southampton manuscripts. The editor therefore concludes that until recently the document went by the name of "Paxbreade", to which there are frequent references, especially one by William Overey, clerk and sheriff of the town in 1473. The book is bound in oak covers. One is longer than the other and has a slit at the bottom through which the clerk put his thumb for convenience in holding the book while reading.

Portions of the Oak Book have been published at various times—particularly chapter iv.—from which the late Dr. Charles Gross drew largely in his work on the English *Merchant Guild*. The present edition contains an introduction of some 43 pages. Chapter i. has a fragment of an early tariff of pontage dues, with other notes made in the fifteenth and sixteenth centuries. Chapter ii. tells of the freedom of toll granted to the men of Lowestoft, probably by Henry IV. in 1401.

Chapter iii. gives an incomplete list of the boroughs of England, with particulars relating to their charters. It is valuable as a record of the English towns with which Southampton traded from the twelfth to the fourteenth centuries. Chapter iv.—the Ancient Laws and Ordinances of the Guild Merchant of Southampton—is the longest and most important part of the Oak Book, and, together with chapter v., is assigned to 1300.

The appendixes include an English version of the Guild Ordinances by William Overey, 1473; a translation by Dr. Speed, 1770; the "Modern Laws", a slightly modified version of the Ordinances, which constituted the legislative code of Southampton to 1835; and 38 ordinances, enacted in the mayoralty of Thomas Overey in 1491.

C. T. WYCKOFF.

*The Lollards of the Chiltern Hills: Glimpses of English Dissent in the Middle Ages.* By W. H. Summers. (London, Francis Griffiths, 1906, pp. vi, 186.) This little book is an attempt to trace, chiefly by the aid of printed sources, though with recourse now and then to material still in manuscript, the evolution of the Lollard movement in South Buckinghamshire. In eighteen short chapters Mr. Summers deals successively with the religious life in Buckinghamshire in the Middle Ages, Wycliffe and the early Lollards, the revival of Lollardry on the eve of the Reformation, and the relations of Lollardry and

Protestantism. His treatment of the early Lollards (chapters iv.-vi.) offers little that is new or that is not better set forth in the general histories of the movement. Of far greater value are the chapters (vii.-xviii.) in which he narrates the fortunes of the sect from its apparent suppression in the mid-fifteenth century to the breach with Rome. The reviewer can recall no other work in which are collected and grouped, in a manner to make clear their actual place in the life of the time, so many concrete facts about the later Lollards. Two points, moreover, are treated with special success. One is the interesting question of the continuity of the movement. On this Mr. Summers assembles evidence which indicates that, at least in the region under discussion, Lollard congregations enjoyed an uninterrupted existence from the early fifteenth century to the beginning of the Reformation. The other point is the problem of the authenticity of the "Register of Bishop Longland", the source utilized by Foxe in his pages on the Buckinghamshire heretics. There is no space here even to summarize the argument (chapter xi.); one can only note that its result is to establish pretty conclusively Foxe's good-faith. For these features—as for still others which must be left unmentioned—the book ought to prove suggestive reading to all students of the popular origins of the English Reformation.

RONALD S. CRANE.

Dr. Gisbert Brom's *Archivalia in Italië belangrijk voor de Geschiedenis van Nederland*, II. *Vaticaanse Bibliotheek* (Hague, Nijhoff, 1911, pp. xiv, 550) continues, upon the plan described in our notices (XIV. 656, XV. 405) of the two sections of part I., the calendaring of specific documents of importance for Dutch history found at Rome. Only 399 documents are entered, for, by a modification of method, full texts are often given, and in other cases long extracts. A third of the book is taken from the "Vaticana Latina", and nearly a third more from the Barberini collection. The introductions and indexes are excellent. The volume is of especial value for the beginning of the Reformation and the hundred years immediately succeeding, to which period most of the pieces belong.

*L'Évolution Industrielle de la Belgique*. Par Jan St. Lewinski. (Brussels and Leipzig, Misch et Thron, 1911, pp. xiv, 444.) The first part of this book is a survey of theories of economists and sociologists which might be applied in explanation of the phenomenal changes which have taken place in Belgium in the nineteenth century. The second part deals with their historical application. It is evident at once that the author is an economist rather than a historian: theory comes first, facts follow. Moreover M. Lewinski objects to inductive study unless the line of research is amply charted by hypotheses. This enables author and reader to felicitate each other as they verify their verifications, but it tends to dissipate any illusions which they might

otherwise entertain as to the originality of their enterprise. On the other hand the material has been handled in a careful and painstaking manner. The manual is, therefore, both a convenient summary of the essential facts of Belgian industrial history and a neat survey of the theories commonly in vogue with reference to the sociological problems involved in such a phenomenal growth of population and wealth, transformation of intensive farm agriculture to the factory system and readjustment of social pressures. The plan of the book has something to be said for it; but so much space is taken up with discussion of theories—some of which might better be left to die where they are dying—that the actual narrative is unduly compressed.

Since practically all economic arguments which bear upon the problem are passed in review here, it is impossible within the limits of this notice to discuss the contribution of Mr. Lewinski further than to indicate that his criticism is in general sane rather than original, history having proved of as much service to him as economics, by enabling him to show up the vagaries of extremists and the distortions of polemicists. But the synthetic side is more open to question. We doubt whether the "growth of population" is a better formula for the cause of the Industrial Revolution than the "Commercial Revolution" or the "growth of capital" of Mr. Brooks Adams and others. History has no such formulas.

J. T. SHOTWELL.

*Secret Societies and the French Revolution, together with Some Kindred Studies.* By Una Birch. (London and New York, John Lane Company, 1911, pp. 262.) This volume is composed of four essays, of about equal length, reprinted from the *Edinburgh Review* and *The Nineteenth Century and After* and bearing the titles, Secret Societies and the French Revolution, The Comte de Saint-Germaine, Religious Liberty and the French Revolution, and Madame de Staël and Napoleon. The essays are attractively written, semi-popular in their nature and intended, one would assume, for the general reader. The student of the French Revolution may be entertained by these sprightly pages; he certainly will not be instructed. The first essay, that upon Secret Societies and the French Revolution, is perhaps the most ambitious, and at the same time the most unsatisfactory of the four. The chief defect of the study is the failure to realize the fact that a wide and often impassable gulf separates working hypotheses from conclusions resulting from exhaustive research and critical study of evidence. The substitution of the first for the last does not constitute scientific progress. The paragraph from Acton's *Lectures on the French Revolution*, serving as a motto to the book, is a good illustration of this bad practice. "The appalling thing in the French Revolution", wrote Acton, "is not the tumult, but the design . . . the Managers remain studiously concealed and masked; but there is no doubt about their presence from the first." How it is possible to prove anything about



the activities of individuals who "remain studiously concealed and masked" is not evident at the first glance nor, for that matter, even at the last. The assumption of the writer of the essays that historians have not written of the rôle of secret societies in the French Revolution because "historians have generally chosen to deal with facts, rather than with their psychological significance", is pure assumption, if it has any meaning. The influence of secret societies is a complex *fact*, if it can be shown that such an influence existed. That it did exist has never been doubted. The real problem is what was its nature and how widespread was it. The reason the problem has not been solved is the lack of evidence. After the existence of secret societies has been established, after their number, the classes of society included in their membership, and the nature of their activities have been determined, the relative part they played in bringing about the Revolution will still be unsettled. A document written in 1777 proposed the formation of a secret order within the order of the Masons for the reason that "although the aim of masonry was to arouse the minds of men to a knowledge of the universal creator of nature and of the primitive relations of fraternity and equality which exist among all men", but little of real value had been accomplished, and many had left the order in disgust. The evidence would seem to indicate that the Masons in France in the eighteenth century, as a body, were innocent of any organized attempt to revolutionize society. That many leaders of the Revolution were Masons is an interesting fact, but it does not follow that they were revolutionists because they were Masons nor that in directing the Revolution they were doing the work of the order. The volume contains some indications of research, but little of critical scholarship. There is a sprinkling of foot-notes and a carelessly constructed bibliography, with a good number of titles on secret societies, but almost nothing on the other topics.

FRED MORROW FLING.

*Paris pendant la Terreur: Rapports des Agents Secrets du Ministre de l'Intérieur.* Publiés pour la Société d'Histoire Contemporaine par Pierre Caron. Tome I., 27 Août 1793-25 Décembre 1793. (Paris, Alphonse Picard, 1910, pp. lx, 427.) The reports, the publication of which M. Caron has begun in this volume, were made by the "observateurs" of the French Ministry of the Interior. The plan for a systematic collection of information originated with Garat and was put into operation in May, 1793. It was developed by Paré, Garat's successor, and was abandoned only when in the spring of 1794 the ministries gave way to commissions, and when the "bureau of correspondence" was accused by St. Just of having belonged to the faction of Dumouriez and of having praised Danton. The number of "observateurs" in Paris varied from time to time, sometimes as many as fourteen reporting for the same day. From the reports extracts or résumés were prepared, which were addressed to the committees of the

Convention and the administrations interested. Three writers have already published a portion of them—Ad. Schmidt in his *Tableaux de la Révolution Française*, C. A. Dauban in his *La Démagogie en 1793 à Paris* and M. Caron himself in the *Bulletin* for 1907 of the Commission de l'Histoire Économique de la Révolution. The reports for May, June, and July, which Schmidt published, are omitted in this collection. Of the others about two-thirds, or 964, have never been printed. Unfortunately, even in this collection there are serious gaps, for of the 341 reports for Brumaire, an II, none have been found, and only eleven out of 384 for Frimaire. For other months the collection contains a fairly complete set. The reports in the present volume close with that made December 25, 1793. Their value is undoubted, for the writers appear to have appreciated the fact that they were expected to report what they saw and heard. They are not equal in value, but it is possible to check the statements of each by those of the others and by information drawn from other sources. M. Caron furnishes much of this information in his notes, and he has included in his introduction biographical notices of the "observateurs". When completed the volumes will be an important addition to our materials on the history of Paris during the Terror.

H. E. BOURNE.

*A Century of Empire, 1801-1900.* In three volumes. By the Right Hon. Sir Herbert Maxwell, Bart., F.R.S., D.C.L., LL.D. Vol. III., 1869-1900. (London, Edward Arnold; New York, Longmans, 1911, pp. xv, 367.) The attractive, readable character of this, as of previous volumes, can be safely conceded, while its innocence of historical research and method is equally apparent, and its consistent partizanship even more noticeable. The latter point, generally criticized in earlier reviews, Sir Herbert Maxwell meets in the preface. He acknowledges bias and claims added value because of the Tory viewpoint. Enumerating Liberal historians, he writes that they "have not shrunk from frank expression of their political sympathies or refrained from expressing vigorous disapproval of men and measures with whom and with which they were not in accord. Is a conservative to be blamed for availing himself of that freedom which they have put to such effective purpose? There can be no question with less than two sides to it; future searchers after truth will hardly be satisfied without a report on disputed points from both these sides." Thus the author ingeniously defends himself from the imputation of pamphleteering under the guise of history. Considered as a brief for party the work is excellent, and has value as a document, while largely negligible as serious history.

The survey presented is almost entirely of the play and strife of parties in Parliament, portraying leaders, succinctly stating questions and measures, and offering an intimate view of motives. The historical value of the work is in this inside knowledge of the political game. The author was in the thick of it as assistant-whip for the Tories, and

his estimates of men and of political conditions are the testimony of a participant. The volume covers the years 1869 to 1900, and the incidents narrated have so close a relation to present conditions in England as to increase the interest. Thus when Gladstone's county franchise bill, enlarging the electorate, was thrown out by the Peers in 1884, a campaign was inaugurated for "mending or ending" the House of Lords. The author relates with satisfaction the service of Queen Victoria in securing a compromise, thus averting a dangerous constitutional crisis; and applauds the influence and power of the crown, so wisely exercised. Gladstone is, in the main, treated with a gentleness hardly to be expected from one who participated in the Home Rule contest of 1886, though of Gladstone's change of front he writes that "his principles had lost none of their plasticity", and that Gladstone's career was "cumbered with wreckage and strewn with jettison". The most striking portrayal in the volume is that of Lord Randolph Churchill, for whose genius in politics, acumen, and leadership and courage in debate, the author has great admiration, but whose ultimate influence on the Conservative party he deprecates, holding that Churchill's Tory-Democrat theories were never sincerely held, and that he accustomed his party to pander to popular outcry. Indeed the modern Conservative party arouses no enthusiasm in Sir Herbert Maxwell, and Churchill is held responsible for what is termed the "rot of Conservative principles".

E. D. ADAMS.

Much discussion has been raised in Italy by the publication (Bologna, Nicolà Zanichelli) of an unknown autobiography of Garibaldi in verse, written during the hero's months of convalescence after the tragic conflict of Aspromonte in 1862. Garibaldi's *prose* autobiography was first printed more than a half-century ago and has since frequently reappeared in varying editions and in many languages. The historian has had ample time to become cognizant of its untrustworthiness in statements of detail and in judgments of men and events, although the work must always be regarded as a document of biographical importance, showing what Garibaldi thought of his own exploits as he looked back upon them in his later years when surrounded for the most part by the least honorable of his followers, who ministered to his party resentments and personal enmities. The *poetical* autobiography which has now appeared is of the same character. It was written in one of the bitterest periods of Garibaldi's life, after the failure of his first revolutionary expedition for the capture of Rome undertaken contrary to the wish of his wisest counsellors and without the support of his ablest and most serious followers. He blamed Napoleon III. primarily for the thwarting of his ill-timed effort, and in his verses he has given free vent to his hatred of the French emperor and of the priests. His accounts of his own well-known achievements, which form such a vital and extraordinary part of the Italian Risorgimento, exhibit real poetic feeling and are modestly given, but they contain no new historical facts

and, as was to have been expected, they are of no literary value. In Italy some among Garibaldi's most ardent admirers have reproached the editor for having printed a work so defective from a literary point of view and lament that in so doing he has belittled Garibaldi. However it is difficult to see that either harm or much benefit has in reality been done to the hero's memory by the publication. Garibaldi's sentiments, including his violent animosities expressed in the poem, were already known, as was his tendency to patriotic and ultra-democratic bombast; and as for his form of poetic expression with its grave literary defects, it cannot seriously be suggested that the glory of Garibaldi's figure on the field of battle and of his rôle as a world-champion in the struggle for liberty could be dimmed by literary failure or literary criticism. But it may justly be noted that the period when in thought and action he best served his country had closed before he commenced to write his own epic. The poetry of action had been completed before his verses were begun. As students have long realized and as the invectives of this autobiographical poem suggest, history has yet to fully register many of the party errors and political prejudices of his later life, of which the evil effects were fortunately lessened by the wisdom and patriotic forbearance of prudent Italian statesmen, whose figures, as those of Cavour, Victor Emmanuel, Crispi, and others will gain by the publication of the full record. On the other hand something also remains to be said of Garibaldi's later blundering services to Italy as a fundamentally conservative force in the party of action; for this phase of his life much material is already available in the correspondence of his contemporaries; but it will be difficult for the historian to treat any phase of Garibaldi's life satisfactorily, and indeed it will be impossible to write a full biography, until a substantially complete and accurate edition of his letters has been prepared.

H. NELSON GAY.

An anonymous sketch of Francesco Daverio, the chief of staff in Garibaldi's First Italian Legion, killed on June 3, 1849, during the siege of Rome, was privately published (Varese, Arti Grafiche Varesine) by Daverio's family on the occasion of the inauguration of his bust on the Janiculum in Rome on April 30, 1911. Emilio Maroni Biroldi, the author of this first biography of Daverio, has written *con amore*, and also with critical judgment, and has succeeded in bringing together all available material which could illustrate the courage, ability, and patriotism of his hero, including some unpublished documents. Garibaldi spoke of Daverio as "the best of his brothers" and declared that he had the stuff of an excellent general in him.

An interesting pamphlet on the part played by Sicilians in the winning of Garibaldi's remarkable victories in the Sicilian revolution of 1860 has been published by Salvatore Romano, *I Siciliani a Marsala, a Salemi e alla Battaglia di Calatafimi* (Palermo, Scuola Tip. "Boccone del Povero"). The writer is correct in his contention that there has been



some over-glorification of Garibaldi's Thousand at the expense of the auxiliary Sicilian revolutionists. A specialist's knowledge of modern Italian history is not necessary in order to appreciate the absurdity of the representations made by many historians to the effect that a thousand extraordinarily brave filibusterers, *without substantial aid from the native islanders*, were able to capture the capital of Sicily defended by a large Neapolitan standing army and fleet.

*The Right Honourable Hugh Oakeley Arnold-Forster: a Memoir.* By his Wife. (London and New York, Longmans, 1910, pp. xv, 376.) Between trying to write a political biography that should appeal to the public in behalf of the cause for which her husband worked, and running into the form of an intimate memoir, Mrs. Arnold-Forster has failed of the best success; but she has presented a good sketch of a new type of statesman—a type with which students of the last three decades of English history ought to be familiar.

Arnold-Forster was a journalist of some distinction when, after serving in Dublin as private secretary to his adoptive father, W. E. Forster, he gradually broke away from the Liberal ranks and became a Unionist. He found a seat in Parliament for one of the divisions of Belfast; but, too disinterested to be a successful party politician, he devoted his unusual talents to a study of the army and navy. Probably no civilian of his generation could speak more authoritatively on the problems involved in these two branches of the service. Always a close student of Continental models, he early abandoned, at some sacrifice of popularity, that illusion of Victorian complacency, the cricket-ground-of-Eton theory of England's fighting supremacy; and he became both in Parliament and in the press the apostle of technical efficiency. He wrote and spoke in vain until the South African War realized most of his fears, and gave point to much that he had advocated. As Secretary to the Admiralty, and then as Secretary for War in Balfour's government, he strove to approximate the British forces to the Continental model, and to bring about a co-ordination of the two branches of the service. His view of the empire was naturally conditioned by his interest in imperial defence, yet he constantly combatted the besetting jingoism of the British public.

Here and there in the narrative are items which might be used as historical material. A good sketch appears in one of the early chapters of a Parliamentary election in Belfast. As educational adviser to the publishing firm of Cassell and Company, Arnold-Forster helped to introduce German school publications into English schools; and we learn that the *London School Atlas* and the *Times Atlas* were both translations and adaptations from German originals. Beyond the question of army reform there is little that will contribute to the history of the Balfour ministry; and Mrs. Arnold-Forster is clearly ill at ease in discussing the Chamberlain tariff proposals. The influence of W. E. Forster in originating the imperialist movement of the seventies is undoubtedly exaggerated. The references to naval training and the conditions of naval service would be valuable for recent naval history. The most vivid piece of

writing in the whole book is the description of the Kingston earthquake, Arnold-Forster happening to be in Jamaica at the time of the disaster.

C. E. FRYER.

*Federations and Unions within the British Empire.* By Hugh Edward Egerton, Beit Professor of Colonial History, Fellow of All Souls College, Oxford. (Oxford, Clarendon Press, 1911, pp. 302.) Professor Egerton's book consists of a series of documents exhibiting the forms of political union which now exist, or have existed, in different parts of the British Empire, together with an introduction giving a summary account of the unions, with one exception, which are now in force. The documents comprise the Articles of the New England Confederation of 1643, Penn's Plan of Union, Franklin's Albany proposals, the British North America Act of 1867, the report of the Privy Council, 1849, on a constitution for the Australian colonies, the Commonwealth of Australia Constitution Act of 1900, and the Union of South Africa Act of 1909. The constitution of New Zealand is omitted because, as Professor Egerton says, "the shadowy kind of federation adumbrated by the establishment of the six Provinces can hardly take rank among federal Governments, even during the short period of the existence of these Provinces"; and, further, because the constitution of New Zealand presents no striking departures from the constitutions of the other Australian colonies.

Professor Egerton's introduction, extending to a hundred pages, is in the main confined to a straightforward narrative of the events which led to the adoption of the several federations or federal unions in question, with the addition of such description or explanation of the statute-constitution as grows naturally out of an historical survey. Special students of federal government or of modern colonial development will find nothing novel in what Professor Egerton has to say; but the introduction itself is a useful addition to the scanty list of reliable brief accounts. In some brief concluding observations it is pointed out that the organic laws of Canada and Australia show no such popular distrust of both the executive and the legislature as appears in recent American state constitutions. On the other hand, the detailed specifications of the British North America Act, in contrast to the general phrases of the American Constitution, have brought some confusion into Canadian law. None of the existing unions was the product of necessity, nor do they, Professor Egerton thinks, necessarily presage a wider imperial union: the British Empire to-day consists of communities "with most of the attributes of distinct nations", and "the most keen-sighted of imperialists now recognize that what is necessary is a federation of nations, not of provinces".

WILLIAM MACDONALD.

*Beiträge zur Charakteristik der Aelteren Geschichtsschreiber über Spanisch-Amerika.* Von Frederick Weber. [Beiträge zur Kultur- und Universalgeschichte, XIV.] (Leipzig, R. Voigtländer, 1911, pp. xii, 338.)

Whether one examines this work for the sake of finding out what the German student can command in the way of material for the study of American history, or with a hope of learning what sort of ideas the German teachers of this generation are inculcating on that same subject, the American reader is likely to discover very little which would lead him to that corner of Europe for study or investigation. The book is a comprehensive, intelligent survey of the sources of information, as they may be gleaned from the older works of reference which are just beginning to be displaced in most American college libraries. The foot-notes disclose little of more importance than an Essen *Schulprogramm* among the half-dozen references that have been noted of later date than 1890, while most of the citations are earlier than Harrisse's *Bibliotheca Americana Vetustissima* and Winsor's *Narrative and Critical History*. The work as it stands might have been compiled just as well in 1880 as it has been in 1910. If it had been produced thirty years ago, it would have been a work of great skill which would without much question have had an important influence upon the study of Latin-American history. Most of the ideas which the author has derived from his examination of the bibliographies, supplemented by Humboldt and Baumgarten's introduction to Schröter, were not in 1880, as they are to-day, a part of the stock in trade of every professional reader of American history. Perhaps the chiefest advantage to be derived from an examination of Herr Weber's work is in the evidence which he furnishes that these "stock-in-trade" ideas are confirmed by a careful re-examination of the data out of which they have evolved.

This is not the sort of work which can fairly be taken to task for matters of bibliographical minutiae. Such incidental slips as the printing, in a German work, of "S. Eusuytle" for Sensuyt le; or the citing of the well-known *Libretto* of 1504 as "lost" because Harrisse bemoaned his inability to find a copy in 1866; or the ignoring of the important *Summario* of 1534 in a discussion of the services rendered by Ramusio toward the dissemination of geographical knowledge; or even the failure to mention the volume of *Voyages* published in 1589 in a paragraph devoted to Richard Hakluyt's work; or, to cite an illustration in still another line, the statement that valuable material is still to be found in the Mexican monastic libraries which ceased to exist during the time of Juarez; all these are significant chiefly as evidence that the German student does not have access to the later American works of reference. These are bits of special information that the graduate student at Chicago, Philadelphia, New Haven, or Baltimore might not recollect off-hand, but he would hardly be allowed to go to press without verifying his statements.

G. P. W.

*Inventory of Unpublished Material for American Religious History in Protestant Church Archives and Other Repositories.* By William Henry Allison, Professor of Ecclesiastical History, Colgate Theological

Seminary. (Washington, Carnegie Institution, 1910, pp. vii, 254.) All students of American church history owe an immense debt of gratitude to the Carnegie Institution for the preparation and publication of this invaluable work which must stimulate as well as facilitate research. It is the first attempt to list the manuscript material for our religious history and must long have fundamental importance for investigators. Professor Allison's task was laborious and has been done with evident thoroughness and accuracy. How difficult the search may have been can be tested by one who even with this list in hand may not easily convince librarians of their possession of the documents.

The inquiry was accomplished by personal visits and the use of a questionnaire. It is clear that the listing is not uniformly specific. In some cases the archivist has not definitely indicated the contents of documents where it was possible enough. The "Theological Disquisition" of Jonathan Edwards in the Andover Theological Seminary might have been given a subject, and one searcher among records of councils regrets that we are not told the place of the council of 1738 of which that library has memoranda. It is doubtless because of the neglect of manuscript materials in libraries that some omissions will be found. The Unitarian Library at 25 Beacon Street, Boston, has many manuscript parish histories important for the story of the division of Congregationalism, but they do not appear in this inventory. The work fails to reveal the location of records of the various district associations of the Massachusetts Congregational churches. The records of the Boston Association are at the American Unitarian Association. A questionnaire sent to these district associations might reveal similar facts.

Dr. Allison deems that the usefulness of his work "may consist in part in indicating where historical material is not to be found", but this may be read with a caution. The possessions of the Massachusetts Historical Society are not listed, though they include such interesting material as the sermons of Ezra Stiles, 1749-1775, and a portion of his Ecclesiastical History of New England and British America. Fairfax Theological Seminary, Alexandria, Virginia, has a large number of record-books of Virginia parishes, but is not represented here.

While it is impossible to judge of the exact contents of much of the material here listed, it is probable that the documents deal more with ecclesiastical business and institutional growth than with doctrinal interests or with religious experiences. The reviewer has been sadly disappointed to discover few indications of the correspondence of eighteenth-century worthies who must have conferred over the dangers of an English episcopate and the invasions of heresy. It is to be hoped that the existence of this work may encourage individuals owning such unprinted materials to deposit them in public archives. Through the suggestion starting from this inventory the Meadville Theological Library recently received an interesting manuscript of the reminiscences of Rev. W. H. Fish, who had a part in the Hopedale Community and in the crusade against slavery.

FRANCIS A. CHRISTIE.



*Religion in New Netherland: a History of the Development of the Religious Conditions in the Province of New Netherland, 1623-1664.* By Frederick J. Zwierlein, L.D., Professor of Church History at St. Bernard's Seminary, Rochester, New York. (Rochester, John P. Smith Printing Company, 1910, pp. vii, 365.) This is the first serious attempt at interpretation of the religious development of the province of New Netherland in the light of the results of modern research in the field of religious history of the mother country. After an introductory chapter on the religious conditions in the Dutch Republic, the author outlines the relations between Church and State in the colony and then proceeds to give a systematic account of the Dutch Reformed Church, the religious activities in New Sweden, the religious factors in the English immigration, the persecutions of the Lutherans, the Quakers, and the Jews, and the Indian missions in New Netherland. Though little new material is brought to light and a disproportionate amount of space seems to have been given to persecutions, not much fault is to be found with the general narrative of events, which is based on a painstaking analysis of printed sources and secondary works. Exception must be taken however to the first chapter, in which the author, in an effort to show that the policy of the colonial government to foster the Dutch Reformed religion and to repress all organized dissent was in line with the oppressive measures against Catholics and Arminians in the Dutch Republic, draws a picture of religious persecution which is hardly in accordance with the facts. Though based on such eminent authorities as Knuttel, De Schrevel, and Hubert, this chapter fails to take account of the contrary views expressed by Robert Fruin in his *De Wederopluiking van het Katholicisme* and by Dr. L. Knappert in "De Verdraagzaamheid in de Republiek der Vereenigde Nederlanden" (*Tijdspiegel*, 1907), which show that many of the oppressive ordinances cited by the author were never executed, and that the testimony of contemporary foreigners and the steady influx of religious exiles furnish abundant proof that the religious conditions on the whole were far better than the author's presentation of the facts would lead one to suppose. As to the statements concerning the establishment of the Dutch Reformed Church and the situation of the Jews, the author published his work unfortunately just too soon to make use of the interesting data brought to light in Dr. Eekhof's biography of Krol, noticed in the January number of this REVIEW, and in Dr. M. Wolff's article on "De eerste Vestiging der Joden in Amsterdam", in *Bijdragen voor Vaderlandsche Geschiedenis* (1910), but valuable information for sidelight on the treatment of the Jews might have been gathered from the "Classicale Acta van Brazilië", printed in the *Kronijk van het Historisch Genootschap te Utrecht*, XXIX. 298-317, 322-419 (1873).

*Narratives of Early Carolina, 1650-1708.* Edited by Alexander S. Salley, Jr., Secretary of the Historical Commission of South Carolina. [Original Narratives of Early American History, edited by J. Franklin

Jameson.] (New York, Charles Scribner's Sons, 1911, pp. xiii, 388.) This volume in interest and excellence is in keeping with the series of *Original Narratives*. I am unable to discover wherein the selections from the sources could be improved. Hardly an interrogation will arise in the mind of the reader that Mr. Salley has not anticipated in editing these early accounts of the Carolinas. Restraint, however, marks the entire volume, as the notes are clear, brief, and to the point. Historical sources are in general useful, but this book is also readable. It is not scrappy, but is made up of narratives having unity and in a measure completeness.

A map of Carolina from Richard Blome, 1672, and a plan of Charles Town by Edward Crisp, 1704, are reproduced with helpful comment by Dr. Jameson, the editor-in-chief of the series. The mechanical execution of the work is admirable, especially the large, bold print. This volume will at once enrich the popular knowledge of the early history of the Carolinas, lending vividness to the general reader's impressions and making available for the class-room the most valuable sources bearing on the settlement and development of these ancient commonwealths.

S. C. MITCHELL.

*Diary of Cotton Mather, 1681-1708.* [Massachusetts Historical Society Collections, seventh series, volume VII., edited by Worthington C. Ford.] (Boston, the Society, 1911, pp. xxviii, 604.) Cotton Mather's diaries, some of them possessed by the Massachusetts Historical Society, some of them by the American Antiquarian Society, and one by the Congregational Library, have long been spoken of in New England historical circles. The first volume (of two which they will occupy in print) has now been published. It is in several ways disappointing to those who may have expected it to prove an important historical source. It contains very little about public affairs, even about the events of 1689 or 1691, the public agency of Increase Mather, or the relations of father and son to Harvard College. It casts no real light on the *Magnalia* or on Salem witchcraft. But as material on Mather it has value, and Mather, slight as was his power of thought in comparison with his eagerness for prominence, was for a time an influential figure. The diary embodies self-revelation of an interesting sort. This is not of the unconscious variety. The manuscript was evidently written that it might be read and might prolong admiration for its author, whose morbid vanity breathes from every page, and not least from those passages intended to exhibit his abject humility before his God. Worthless worm though he might be for purposes of conventional rhetoric, he makes it plain to his readers that after all he was highly regarded by both God and Devil, and that no inconsiderable portion of the universe revolved around the minister of the Second Church in Boston. Though mainly a record of somewhat mechanical spiritual exercises, and confined to the psychological interest attaching to that class of literature, the book contains many passages that depict Boston society, the most engaging being those

concerning the attempts of an admiring young gentlewoman to capture Mather's affections by somewhat drastic methods and somewhat too soon after his first wife's death. Bibliographers will value the frequent data concerning the numberless publications which the busy doctor forced upon a patient little world. Mr. Ford's preface and notes are good, but are not written *con amore*. Elias Neau (pp. 238, 239, 300, 550) should be Elias Neau (*alias* Nau).

The *Calendar of State Papers, Colonial Series, America and West Indies, 1701*, edited by Mr. Cecil Headlam (Stationery Office, 1910, pp. lxiii, 818), is the fourteenth volume of the series. Every year's advance into this comparatively undocumented period of American history is a substantial gain. The volume is largely concerned with preparations for war and colonial defence, with Indian affairs, with piracy, and with political quarrels in the colonies. Mr. Headlam's editing seems excellent. At any rate he does not abuse his editorial position as his immediate predecessor was wont to do, by injecting into official introductions the evidences of petty personal prejudices.

*Travels in the Confederation [1783-1784]*. From the German of Johann David Schoepf. Translated and edited by Alfred J. Morrison. In two volumes. (Philadelphia, William J. Campbell, 1911, pp. x, 426; 344.) Doctor Schoepf was the chief surgeon of the Ansbach troops used by the British in America. In 1777, at the age of 25, he arrived at New York and remained in America until the end of the war. He served only in southern New England, New York, and Philadelphia, and was unwilling to return to Germany without having seen something more of this new country. Accordingly, in July, 1783, he started from New York, and went through New Jersey to Philadelphia. He then rode across Pennsylvania to Pittsburgh and on his return made a detour into the Shenandoah Valley and to Baltimore. In November and December he travelled through Virginia and North Carolina, and after two months in Charleston, he sailed to East Florida, and the Bahamas, and thence to England.

Schoepf's primary interest was in the physical characteristics and the natural resources of the country. He gives valuable contemporary information regarding these features, especially on the mines, and makes some interesting prophecies of probable future development. Local products, prices, and trade are frequently taken up. There is a formal description of the government of each of the states through which he passed, with an occasional independent observation that throws light on the political conditions. A keen observer, open-minded, and fair in his judgments, his comments upon the people along his entire route are full of interest and value. Such, for example, are his criticisms of his fellow-countrymen, the Germans, in eastern Pennsylvania, and his description of Hermann Husband, of North Carolina Regulator fame, who had fled to western Pennsylvania and who had developed into

a religious fanatic, genuinely crazy on the subject of the prophet Ezekiel.

It is a regrettable fact that American students do not use German readily enough to read such a book as Schoepf's in the original, unless forced to do so. Otherwise this mine of information would not have been left so long undeveloped. Mr. Morrison has rendered a great service by the mere translation of this book of travels. That the translation is well done makes the service all the greater. It is only occasionally that the word chosen in translation or the sentence structure has been determined to its detriment by the German original.

As the author had made a good many foot-notes, the editor has wisely gathered his own notes together at the end of each volume. It is unfortunate that the references to them in the text are not designated by some other device than an unsightly "heavy cross bar". The notes themselves are of the kind that makes one regret that there are not more of them.

A short and unsatisfactory index of four pages is attached to each volume.

MAX FARRAND.

*Parson Weems: a Biographical and Critical Study.* By Lawrence C. Wroth. (Baltimore, The Eichelberger Book Company, 1911, pp. 104.) Mr. Wroth gives a sketch of the life of Parson Weems, and a very brief account of his writings. Satisfactory so far as it goes this volume does not use to advantage an opportunity for describing an interesting character. The material available for such a study is not so limited as the writer would have us believe, and the career of Weems offers a sufficient excuse for extending the scope of the study. The one contribution made by Mr. Wroth is the proof that Weems was ordained a priest in England; beyond that, and a few excerpts from a manuscript diary of William Duke, the material has been known. That a restlessness of disposition was the reason for Weems's vagabond tendencies, that his skilful use of dialogue, of course the product of his own brain, in his biographies is the source of his popularity, that his style was that of the preacher, and his language at times more than vulgar, are facts that need not be denied; but there was a human quality in the man, evoked by his surroundings and his misapplied studies, which could well have been enlarged upon. As a bibliographical study, too, the book is also disappointing. The *Life of Washington* did not come forth in a perfect form at its first printing, but grew under Weems's hand, some of its most distinctive features being added in late editions. The relations between Weems and Washington were of the slightest, and no more than existed between Weems and Franklin. Was not one of his first publications, which Mr. Wroth considers advanced in treatment and in object, a reprint of a similar work issued in Boston in 1726? In default of a more extended biography this sketch will be useful. It has an index.

W. C. F.



*Timothy Flint, Pioneer, Missionary, Author, Editor, 1780-1840: the Story of his Life among the Pioneers and Frontiersmen in the Ohio and Mississippi Valley and in New England and the South.* By John Ervin Kirkpatrick, Ph.D. (Cleveland, The Arthur H. Clark Company, 1911, pp. 331.) The modern historian, who lines up inventors, flat-boat men, and poets alongside the regulation jurists and congressmen, counts among the notable personal forces in the development of the West two literary men who set a stamp upon that community, Hall and Flint. Mr. Kirkpatrick's biography for the first time reveals to this generation the vigor and light of Timothy Flint's too brief existence. Like many other founders of the West, Flint was a New England boy, who carried education and godliness into dark places. Born in North Reading, taught at Phillips Andover, graduated at Harvard in 1800, for years a minister in Lunenburg, Massachusetts, he passed twenty-five years in the West and South.

This biography amply brings out the cosmopolitanism of this frontiersman; as home missionary, as traveller, as farmer, as school-teacher, as editor, as author, Flint always exhibits a vivacity, an interest in his kind, and a style which would have marked him anywhere. He was a contributor to periodicals almost before they were founded, and during the three years' career of the *Western Monthly Review* became the critic of his fellow writers. He was also a publisher and bookseller; he wrote novels; he translated from the French; he was a corresponding member of the Massachusetts Historical Society. Above all he was a recorder of conditions and standards which have long since passed away. Flint's *Recollections* is an indispensable book for an understanding of the crude, tumultuous, half-pagan, early West, which he gave his life to civilize and enlighten.

Considering that the Union army and the Galveston hurricane combined to destroy many of the written memorials of Flint's life, Mr. Kirkpatrick has made a searching and readable biography, provided with a careful list of Flint's writings so far as they can be traced, a biography of his subject, and an unusually well-organized index. The book not only sums up an eventful life; it is a delightful picture of the intellectual and moral conditions and growth of the West.

ALBERT BUSHNELL HART.

*Biographical Sketches of the Graduates of Yale College, with Annals of the College History.* Volume V., June, 1792-September, 1805. By Franklin Bowditch Dexter, Litt.D. (New York, Holt, 1911, pp. 815.) Of the plan of this volume little need be said, as it has been described in reviews of previous volumes of the series. First come the annals, occupying on the average about a page to each year, then a list of the graduates of that year, with indication of honorary degrees, and after that the biographical sketches of members of the class arranged in alphabetical order. In regard to the annals one is disposed to presume that blessed is the college whose annals are brief, and yet we get glimpses

of controversies both theological and political. The sketches are not elaborate, but record, as a rule, the most essential facts. In length they are proportioned in a measure to the importance of the person, although they are not infrequently limited by the dearth of known facts. It is really noteworthy that so great a degree of definiteness has been possible. Characterizations are brief and judicious. Eulogy is employed but sparingly. After each sketch authorities are mentioned, and a bibliography of the graduate's writings is added. Although ministers are less numerous than lawyers (109 of the former, 182 of the latter) the ministers printed far more than the lawyers. It is a little surprising that out of 540 graduates commemorated in the volume only 40 became teachers. The sketches contain a good deal of genealogical fact concerning descendants as well as antecedents; but it appears to the reviewer that a little more definiteness might well have been employed at times in the mention of descendants, for example, when in the sketch of Lyman Beecher mention is made of a son who "graduated at Amherst in 1834, and proved to be the most brilliant and most distinguished of the family". Of course the Rev. Henry Ward Beecher is meant. The method appears, however, to have been used of purpose.

*Recollections of Abraham Lincoln, 1847-1865.* By Ward Hill Lamon. Edited by Dorothy Lamon Teillard. (Washington, the Editor, 1911, pp. xxxvi, 337.) Quite apart from any new material, a reprint of this readable little volume would have been welcome. Few men shared Lincoln's confidence more fully than Ward H. Lamon, and not even Lincoln's secretaries stood in a more intimate relation to their chief. If we are to believe that not Lamon but Chauncey Black wrote the much criticized life of Lincoln, then Lamon's authentic recollections become all the more valuable. Prompted by a filial regard for her father, the author has included a sketch of Colonel Lamon, and has appended to the book many personal letters to "show his standing during Lincoln's administration". Of these letters it must be said, that while they suggest vividly the atmosphere in which Lamon lived at Washington, they do not add appreciably to our knowledge of the President. The only Lincoln letter not found in the former edition is the well-known and often-printed letter to Mrs. Bixby. Several pages of anecdotes about Lincoln are added to the original edition, but they contribute little to the value of the book. If by Lincoln's own statement only about one-sixth of the stories credited to him were his own, what shall we say of those anecdotes which have a posthumous origin?

*Three Years in the Confederate Horse Artillery.* By George M. Neese. (New York and Washington, Neale Publishing Company, 1911, pp. 362.) The author is known to have been a good soldier and a very skilful gunner. He served in Chew's (Virginia) battery of horse artillery from December, 1861, until October, 1864, when he was taken prisoner and sent to Point Lookout, where he was confined until the

close of the war. He participated with the battery in Jackson's Shenandoah Valley campaigns, in the battles of Crampton's Gap and Brandy Station, in the cavalry fighting that followed Gettysburg, in the Wilderness campaign, and in several minor engagements.

Chew's battery made for itself a distinguished record in four years of hard fighting. It took its name from R. Preston Chew, who was its commander for the greater part of the war. Chew was a mere boy fresh from the Virginia Military Institute when he was made captain in 1861, yet he became one of the ablest of the younger officers in the Confederate service and ended his military career as lieutenant-colonel and chief of artillery of the cavalry corps of the Army of Northern Virginia, in succession to Pelham and Beckham.

The book purports to be a war-time diary, but it is evident that the original notes have been greatly embellished. The style is florid and the book is marred by literary flights and by the difficulty presented to the reader in distinguishing between the original diary and what has been added in later years. But there are good descriptions of the battles of Port Republic and Brandy Station, of the engagements at Poolesville and Moorefield, and of the two great cavalry reviews held by Gen. J. E. B. Stuart near Brandy Station in June, 1863; and the accounts of the author's successful marksmanship are interesting. The book is doubtless of but slight historical value, but readers with a fondness for military matters will find it entertaining and perhaps enlightening.

*History of Taxation in Iowa.* By John E. Brindley, Assistant Professor of Political Economy at the Iowa State College of Agriculture and Mechanic Arts. In two volumes. [Iowa Economic History Series, edited by Benjamin F. Shambaugh.] (Iowa City, State Historical Society, 1911, pp. xvii, 493; ix, 476.) Only last spring the Iowa legislature authorized the appointment of a tax commission to report upon measures of reform in the laws of the state pertaining to taxation. The causes for this action were in part general (causes operative throughout the country), but in no small part they were special. Iowa for some years (since 1900) has had a tax ferret law, and for some years Iowa has been losing in population. That the law in question has contributed to this loss is not to be averred; but the fact of such loss is supplemented by the further fact that the rate of interest on farm mortgage loans has advanced; and the two facts combined have put the farmers much upon inquiry.

In the work of the Iowa Tax Commission, Professor Brindley's book (a discussion of Iowa taxation in the light of its history) should be of the greatest service. It is comprehensive in scope, scientific in method, thorough in research, and lucid in statement. Part I. treats of the general property tax, emphasizing the point that the clue to better conditions lies in improved administration. Part II. discusses special problems in taxation: the taxation of banks, of insurance companies, of express companies, of telegraph and telephone companies; the inheritance tax; poll

and license taxes; tax exemptions; tax limitations; taxation of moneys and credits; the tax ferret system. Part III. treats of the taxation of railways. For existing tax evils in general, Professor Brindley's remedy (so far as he discovers one) is state control of local assessments. The total exemption of personal property from taxation is deemed premature until substitutes are found in business or rental taxes and in a uniform tax of three or four mills upon intangible property. The taxation of railways, Professor Brindley thinks, should be upon an *ad valorem* assessment by the state with a proper apportionment of values between state and localities.

I. B. R.

*Index and Dictionary of Canadian History.* Edited by Lawrence J. Burpee, F.R.G.S., Librarian of the Carnegie Library, Ottawa, and Arthur G. Doughty, C.M.G., Litt.D., Dominion Archivist, Ottawa. [The Makers of Canada, vol. XXI.] (Toronto, Morang and Company, 1911, pp. xii, 446.) This appendix volume to the *Makers of Canada* series is at the outset furnished with an illustrated chronological chart, a concise introduction containing some valuable hints on bibliography, and a good scheme of abbreviations. The book proper falls naturally into three divisions. The main part, consisting of the index and dictionary, fills 417 pages, and is arranged alphabetically. Each item of importance usually begins with a short history of the topic, followed by an index to the places where it is mentioned in the series, and closes with a few bibliographical references. These items range in bulk from two pages for such men as Lord Dorchester or Robert Baldwin to merely a line for subjects of trifling importance. Too much reliance seems to have been placed on the individual indexes to the different volumes, and as these are sometimes faulty the final result is not always as complete as could be wished. As examples one may turn to "Civil List", where at least one important reference is overlooked in the life of Papineau, page 77, or to "Immigration", which entirely omits any mention of this subject under the French régime, although important details are given in Le Sueur's life of Frontenac, pages 56-57, 148. The bibliographical references are usually satisfactory, occasionally a superseded book or article appearing in place of the standard work.

The second division, which includes pages 419-433, is devoted to manuscript sources for further study, which may be found at the Dominion Archives, Ottawa. This furnishes material on twenty-six persons, arranged in twenty-one sections, with an additional—and curiously inadequate—section on American Colonies. While this part, which is virtually an appendix, is not a complete guide to manuscript sources at Ottawa, and indeed does not pretend to be, yet it can well serve as a basis for exhaustive researches, and is a valuable adjunct. An eccentric feature is the use of the term "Serie" to denote a single collection of manuscripts, while "Series" is reserved for the plural.

The remainder of the book contains a partial list of rare maps and



plans relating to Canada, taken from the 7,000 maps at the Dominion Archives.

In spite of occasional omissions and inaccuracies this volume is one of the best of the series. Both the index and the introduction contain valuable bibliographical notes, and the former has, in the words of the editors, "a great deal of additional information, bearing on the subject-matter of these volumes, but which from its very nature it was impossible to incorporate in the text". Thus the main portion forms in some degree a dictionary of Canadian history, limited on the one hand by *lacunae* in the volumes to which it is a guide and augmented on the other by numerous useful details taken from a wide range of printed books and manuscript sources.

*Review of Historical Publications relating to Canada.* Edited by George M. Wrong, M.A., and H. H. Langton. Volume XV. *Publications of the Year 1910.* (Toronto, University Press, 1911, pp. xi, 220.) The "constant reader" of these excellent annual volumes must be impressed with the evenness of execution maintained for fifteen years in such a series of reviews of books and articles, and with the comprehensiveness of the survey. In the section on Canada's relations to the Empire, he can hardly fail to be struck with the great increase in fifteen years in the definiteness with which Canadian writers see and express those imperial relations, with the clarifying, in short, of national self-consciousness. It may be valuable, in these pages, to mention certain books of importance which this journal has unfortunately failed to notice heretofore: in the general section, Mr. James H. Stark's *The Loyalists of Massachusetts, and the Other Side of the American Revolution* (Boston, J. H. Stark), and Sir Wilfred Laurier's *Discours à l'Étranger et au Canada*; in the section devoted to provincial history, Mr. A. L. Haydon's *The Riders of the Plains: a Record of the Royal North-West Mounted Police of Canada*; and in the ecclesiastical section, Father A. G. Morice's *History of the Catholic Church in Western Canada*. The economic and ethnological sections are, as usual, ample.

#### TEXT-BOOKS

*The New Europe, 1789-1889*, with Short Notes, Bibliographies, Biographies, Diagrams, and Maps, by Reginald W. Jeffery, M.A. (Boston and New York, Houghton Mifflin Company, 1911, pp. xv, 401.) This is a brief handy outline, by an Englishman, of the political, or rather of the diplomatic and military, history of Europe between the dates indicated in the title. Many facts are tightly packed within a brief compass. But for use as a text-book an amount of space which seems excessive is devoted to military events. For instance, only thirty-seven pages—unsympathetic pages—are given to the non-military history of the whole French Revolution from 1789 to 1799, and nearly three times that number to the military events of the Revolutionary and Napoleonic era. No

account at all is given of Napoleon's Concordât, of his reorganization of local government, education, and finance, or of his public works. Similarly, there are twelve pages of text and chronological outline on the battles of the Franco-Prussian War, but no description at all of the constitution or working of the French and German governments which followed that war. Military history is indeed a good subject for boys to study, and it can be made very instructive and interesting if the tactics of a few important battles or the strategy of one or two campaigns is described in some detail. But military history which consists chiefly of the bare mention of a great many names of battles and generals, as is largely the case in this volume, can scarcely be found by a pupil either interesting to read or easy to remember. In a history of "The New Age" one would expect to find some discussion of republican ideas, party government, colonial expansion, the Industrial Revolution and its consequences, and the attitude and activity of the Roman Church. But of these things there is almost nothing.

Mr. Jeffery has inserted several diagrams, which as he modestly says in his preface, "have proved useful in the past to many of my pupils purely as an aid to visual memory. They are in no sense anything more than reminders of the subject of the previous chapter." The diagrams are ingenious and may no doubt be very helpful in the hands of a careful teacher. But there is always the danger that the pupil will tend to commit to memory the visual image without really understanding the subject. There is also the danger that such formal aids will say too much or too little. For instance, in the diagram of "The Results of the Battle of Trafalgar" it is too much to include among the results of the battle events which happened before the battle took place, such as Napoleon's abandonment of the camp at Boulogne and the capitulation at Ulm. There are good maps, but the genealogical tables would have been more useful if they had been extended in every instance to include the sovereigns of to-day. Unfortunately there are several inaccurate statements in the text, and the proof-reading, especially of the proper names, has not been careful—Prokersch-Osben for Prokesch-Osten (p. 214), Hertzeberg and Hertzburg for Hertzberg (pp. 42, 154), and more than a score of other similar misprints.

SIDNEY B. FAY.

## COMMUNICATIONS

ITHACA, August 7, 1911.

*The Managing Editor:*

*Dear Sir:*

May I ask the readers of my Luther Fragment in the July REVIEW to correct the *u* of *componendum* (in line 3) to an *a*? The photographic facsimile shows me that what I had taken for a *u*-hook is only a fleck in the paper above an open *a*, and the word therefore not a gerund, but the more usual gerundive. I was about to ask also that after *praerigoro-*

*sum* (lines 5, 6) there be inserted a query, like that after *aliter* (line 15) and that scholars help me to better readings for both; but there reach me from an eminent student of the Reformation, Dr. Georg Buchwald, both the corrections wanted. *Praeri[gor]osum* should read *prae[cordi]orum*, and *aliter* should be *etiam*.

Very truly yours,  
GEORGE L. BURR.

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1, rue du Rabot,  
Dijon, France, le 2 Août 1911.

*Monsieur le Directeur:*

Je vous prie de vouloir bien insérer, dans *The American Historical Review*, la note rectificative suivante, au sujet d'un article publié par elle sur le *Concordat de 1516*, dont je suis l'auteur (pp. 805-806, Juli 1911).

1. Cet article, signé J. W. T., prétend que je n'ai rien ajouté d'important à ce qui était connu des négociations diplomatiques du Concordat de 1516. Or, j'ai publié (1) le texte des articles adoptés à Bologne, qui était encore inédit; (2) les instructions données à Roger Barthe pour mettre le traité sur pied, et qui étaient également inédites; (3) les instructions envoyées au nonce en France à ce sujet et aussi inconnues jusqu'ici dans leur teneur originale—trois sortes de documents d'un haut intérêt.

2. On affirme que je regrette que l'Église de France soit devenue concordataire. Non, je ne regrette pas cela. Ce que je regrette c'est qu'on ait mal appliqué le concordat, parce que le mauvais usage, qui en a été fait, ne lui a pas permis de porter tous ses fruits.

3. On m'accuse d'avoir mal défini l'attitude des États d'Orléans, en ne recourant pas aux ouvrages du chancelier de l'Hospital. Mais ces ouvrages sont sujets à caution; j'ai reproduit les discours du chancelier d'après les procès-verbaux. On me reproche, à ce sujet, de ne m'être pas servi dans mon ouvrage de la collection des lois d'Isambert. Ma réponse est que m'en suis servi à ce sujet, comme dans tout mon travail. Je les ai citées plus de quarante fois et souvent analysées. Il est surprenant que l'on n'ait pas vu cela.

4. On prétend que j'ignore complètement la littérature moderne (dans ses rapports avec mon sujet, sans doute). Celui qui a formulé cette assertion n'a donc pas reconnu les nombreux écrivains que j'ai cités sur les points les plus délicats de mon travail, et dont les ouvrages, au nombre de plus de trente, ont été publiés depuis peu. Qu'il me soit permis de redire ici leurs noms justement honorés parmi nous: MM. Lavisson et ses collaborateurs, M. Louis Madelin, M. Pastor, M. O. Martin, M. Imbart de la Tour, M. Noël Valois et tant d'autres indiqués soit en note, soit dans la Bibliographie de mon ouvrage.

On cherche enfin, ce semble, à déprécier mon travail en l'accusant à diverses reprises de reproduire les théories du moyen-âge sur la constitution de l'Église, sans prendre garde que l'on fait une double erreur. D'abord, les idées que j'ai exposées à ce sujet sont antérieures au moyen-

âge; ensuite, ces idées, si le moyen-âge les a professées, lui ont survécu, et elles sont encore enseignées aujourd'hui dans les écoles catholiques.

Veuillez agréer, Monsieur le Directeur, l'expression de mes sentiments très distingués.

J. THOMAS.

HANOVER, N. H., August 31, 1911.

*The Managing Editor:*

*Dear Sir:*

The Abbé Thomas's letter of exception to my review finds me in the vacation season, without access to my notes upon his work, or the work itself, and I have only the actual review, supplemented by memory, upon which to frame a reply.

The abbé's complaint resolves itself into two parts: one of opinion, the other of fact. To his first exception I would say that the three documents alluded to may be "d'un haut intérêt", but at the time the review was written they did not seem to me to be of the supreme historical importance which the author attaches to them. The words of the review, "much of the detail is new", were meant to describe accurately their nature, and I think do so. As to item 3: it is true that the author reproduces the discourse of the Chancellor L'Hôpital after the procès-verbaux of the States General. But is a critical historical writer to avoid the use of the chancellor's other writings because they are "sujets à caution"? The function of scientific historical scholarship is to be critical in spirit and method. I am constrained to the belief (which I refrained from expressing in the review) that L'Hôpital contains too much for the abbé's purpose. The same objection, in less degree, applies to his use of Isambert. When the crown policy was pro-Huguenot, as in 1560, and again at Moulins, the legislation often has a tenor which the reader would not always discover from the analysis of it. One gets the impression that the author's commentary is sometimes based on the interpretation of preceding Catholic writers, and not upon careful weighing of the actual source, and that citation to Isambert is merely *pro forma*. The statement, that the "modern literature [has been] entirely ignored", I believe will stand the test of any candid reader who has studied the literature of the period. It was not intended to imply that the learned abbé was ignorant of the works of MM. Lavissee, Madelin, Pastor, Imbart de la Tour, Noël Valois, etc. But what has he profited by them? He *has* ignored them, in the (English) sense of refusing to accept the findings of modern historical scholarship in regard to the history of the French Reformation in any large degree.

Finally, the paragraph numbered 2 in the abbé's letter, and the concluding one, it seems to me, lie outside the province of reply because they deal with things that are rather matters of opinion than of fact.

Very truly yours,

J. W. T.



## NOTES AND NEWS

### AMERICAN HISTORICAL ASSOCIATION

Volume II. of the *Annual Report* for 1908, finishing the Diplomatic Correspondence of the Republic of Texas, edited by the late Professor George P. Garrison, has now been issued to members. From motives of requisite economy, the practice has been adopted of requesting members to make a positive reply as to their desire to receive the Association's bulky annual reports before the volumes are sent out. Members however who have neglected to reply to the first notifications may obtain the volumes by subsequent request. The *Annual Report* for 1909, one volume, is nearly ready for distribution. The long extra session of Congress has delayed composition upon volume I. of the *Annual Report* for 1910.

Beginning with the *Annual Report* for 1909, as previously mentioned, Miss Grace G. Griffin's annual bibliography entitled *Writings on American History*, heretofore separately published, will hereafter be incorporated in the annual reports of the Association. But libraries and individuals desiring to obtain this bibliography in separate copies will still be able to do so by applying to the secretary of the Association, Mr. Waldo G. Leland, 500 Bond Building, Washington, D. C.

### PERSONAL

We regret to learn of the approaching retirement of Father Franz Ehrle, S. J., the distinguished prefect of the Vatican Library. It is understood that he will be succeeded by Mgr. Achille Ratti, prefect of the Ambrosian Library at Milan.

M. Charles Diehl, professor of Byzantine history at the University of Paris, is to occupy by exchange the position of a professor of history at Harvard University during the first half of the present academic year, giving courses in Byzantine history and on France in the Orient in the Middle Ages.

Dr. Arthur I. Andrews of Simmons College has become associate professor of history in Tufts College.

Dr. David S. Muzzey has been appointed as "associate" (lecturer) in the historical department of Columbia University (Barnard College).

Dr. James C. Ballagh has been advanced from the grade of associate professor to that of professor of American history in the Johns Hopkins University.

Dr. Albert H. Lybyer has been promoted to a full professorship of medieval and modern European history in Oberlin College.

Dr. E. Tuthill has been promoted to the professorship of history in the University of Kentucky, Lexington.

Dr. Winfred T. Root has been appointed to an assistant professorship of history in the University of Wisconsin.

Professor E. C. Barker has been promoted from an adjunct professorship to be associate professor of American history and chairman of the department of history at the University of Texas. Dr. Frederick Duncalf has returned to the University of Texas from his chair at Bowdoin College.

#### GENERAL

Hachette of Paris announces a *Nouvelle Histoire Universelle* in ten small volumes by eminent writers (not named). The volumes (illustrated) will be devoted separately to the Orient, Greece, Rome, Germany, America, England, Spain, Italy, France, and Russia.

The bibliographical reviews in the *Revue Historique* for July–August continue the lists for German medieval history, 1907–1909, by F. Vignier, for Italian history, fifteenth to eighteenth century, by L. G. Pélissier, for modern French history, by Henri Hauser, and for Belgian national history, 1908–1910, by Eugène Hubert. There should also be mentioned the short critique by I. Kont of publications in 1910 on Hungarian history.

In the *Cambridge Historical Series* several new volumes are announced: on the Levant, 1815–1900, by Mr. D. S. Hogarth; on the Netherlands since 1477, by Rev. George Edmundson; on Switzerland since 1499, by Rev. W. A. B. Coolidge; on Germany and the Empire, 1493–1792, by Professor A. F. Pollard; on modern Germany, 1815–1889 (two vols.), by Mr. J. W. Headlam; on modern France, 1815–1900 (two vols.), by Mr. W. A. J. Archbold; and on British India, 1603–1838, by Mr. G. W. Forrest.

For new “series” of small books offering “useful knowledge” by competent authorities on the most diverse subjects there seems to be a steady popular demand, even though the publishers’ claims of educational importance for such series may be subject to discount. The latest of such is the *Home University Library* (New York, Holt). Of the books thus far brought out in the series several are historical. Mr. Hilaire Belloc on *The French Revolution* is of course interesting, and devotes himself chiefly to expounding the underlying theory, the military movements, and the dealings with the Church to which he belongs. Mrs. J. R. Green’s *The Irish Nationality* has the eloquence, the warmth, and the exaggeration her larger book would lead us to expect; no nation can ever have been so gifted as the Irish or so systematically wicked as the English are shown in this brilliant diatribe to have been. On the other hand, Sir Courtenay Ilbert’s *Parliament, its History, Constitution, and Practice* is a model of sane statement as well as of careful construction and authoritative knowledge. Mr. J. Ramsay Mac-

donald, chairman of the British Labor Party, writes on *The Socialist Movement*. Some of the other books may call for separate notice.

Messrs. Henry Holt and Company have published an *Historical Atlas*, prepared by Professor W. R. Shepherd of Columbia University.

Professor Lewis H. Haney of the University of Texas has brought out through Macmillan a *History of Economic Thought: a Critical Account of the Origin and Development of the Economic Theories of the Leading Thinkers of the Leading Nations*.

Dr. H. J. Nieboer's *Slavery as an Industrial System*, since its appearance in 1900 the most scientific study of the economic causes and relations of slavery among savage and barbarous nations, has been issued in a new, somewhat revised edition (Hague, Nijhoff, 1910, pp. xx, 474).

A new journal, *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung* (Leipzig, Hirschfeld) made its first appearance in November, 1910. Three numbers will be published each year. The *Archiv* is edited by Dr. Carl Grünberg, professor of political economy in the University of Vienna.

Mr. Raymond G. Gettell's *Readings in Political Science* (Boston, Ginn, pp. xli, 528) consists of 504 extracts, obviously very short, from excellent or reputable authors. Those which are historical are mostly good, but such bits do not carry one far.

Dr. F. Foy has assumed the editorship of a *Kulturgeschichtliche Bibliothek* to be published by C. Winter, Heidelberg, and the first volume has appeared (F. Gräbner, *Methode der Ethnologie*). The collection will have three sections—Ethnologische Bibliothek, Bibliothek der Europäischen Kulturgeschichte, Allgemeinere Werke.

Lieferungen 56–57 of *Die Religion in Geschichte und Gegenwart* contain a notable study by Professor K. Wenck on the College of Cardinals, with particular reference to the later Middle Ages.

Quelle and Meyer, Leipzig, have added to their collection *Wissenschaft und Bildung* (edited by Dr. Paul Heere) a brief but comprehensive study of *Das Märchen* by Friedrich von der Leyen (1911, pp. 154). The author aims especially to make more generally recognized the importance of the fairy tale and thus to forward research concerning it. Most of the volume is occupied with the consideration of the general conditions of the fairy tale and its place in literary and cultural history; this is followed by more special discussions of the Indian, Arabian, and Teutonic species.

Noteworthy articles in periodicals: Moritz Ritter, *Studien über die Entwicklung der Geschichtswissenschaft* (Historische Zeitschrift, CVII. 3); Leo Wiener, *Economic History and Philology* (Quarterly Journal of Economics, February); P. Barth, *Geschichte der Erziehung in soziologischer Beleuchtung* (Vierteljahrschrift für wissenschaftliche Philosophie, XV. 1); Edward Clodd, *Primitive Man on his own*

*Origin* (Quarterly Review, July); J. H. Robinson, *The Spirit of Conservatism in the Light of History* (Journal of Philosophy, Psychology, and Scientific Method, May).

### ANCIENT HISTORY

Messrs. Putnam announce *Aspects of Religious Belief and Practice in Babylonia and Assyria*, by Professor Morris Jastrow.

Dr. Carl Klotsch's *Epirotische Geschichte bis zum Jahre 280 v. Chr.* (Berlin, Weidmann, 1911, pp. viii, 240) is a contribution of distinct value, both scholarly and well-written.

An important work on Thucydides is Dr. G. B. Grundy's *Thucydides and the History of his Age* (London, John Murray, 1911, pp. xix, 553), in which the life of Thucydides, the text and composition of his work, the economic background of Greek history, the policy of Sparta, and the art of war and military policy of Thucydides's time are fully discussed.

In the *University of Michigan Studies*, Humanistic Series, III. 213-286 (1910), Professor H. H. Armstrong discusses "Autobiographic Elements in Latin Inscriptions", chiefly the sepulchral.

Dr. E. G. Hardy has translated, and supplied with learned introductions and notes, *Six Roman Laws* (Oxford, Clarendon Press) of the later Roman republic, namely, the *Lex Acilia Repetundarum*, *Lex Agraria*, *Lex Antonia de Termessibus Maioribus*, *Lex Municipii Tarentini*, *Lex Rubria de Gallia Cisalpina*, and *Lex Julia Municipalis*.

The *Bibliothèque des Écoles Françaises d'Athènes et de Rome* (Paris, Fontemoing) has just added a volume by Professor Pierre Jouguet of the University of Lille entitled *La Vie Municipale dans l'Égypte Romaine*.

There is perhaps no better treatment of its theme available in English than *Roman Stoicism*, lectures on the history of Stoic philosophy in the Roman Empire, by Professor E. Vernon Arnold of the University of North Wales (Cambridge University Press, 1911, pp. xii, 468).

Guglielmo Ferrero's *Century* articles on the Women of the Caesars are to be published, with some remaking, in book form by the Century Company.

Noteworthy articles in periodicals: R. v. Lichtenberg, *Einflüsse der Aegäischen Kultur auf Ägypten und Palästina* (Mittheilungen der Vorderasiatischen Gesellschaft, 1911, 2); H. H. Armstrong, *Privernum*, II. *The Roman City* (American Journal of Archaeology, April-June).

### EARLY CHURCH HISTORY

The *Revue des Questions Historiques* for July contains a very useful and comprehensive critical review by Dom Fernand Cabrol under the



title "Chronique d'Archéologie Chrétienne et de Liturgie" (pp. 158-189). It includes articles as well as books, and is particularly full for publications in English.

An English translation of Professor Hartmann Grisar's *History of Rome and the Popes during the Middle Ages* is to be published by Messrs. Kegan Paul in London, and in St. Louis by B. Herder. The first volume has already appeared.

Noteworthy articles in periodicals: W. M. Ramsay, *Historical Commentaries on the Epistles to Timothy* (The Expositor, March, 1911); P. Manceaux, *La Question de Priscillianisme* (Journal des Savants, 1911, 2-3).

### MEDIEVAL HISTORY

The diplomatic of the private document, as distinguished from that of papal bulls and imperial and royal charters, is now systematically covered by Professor Oswald Redlich of Vienna in *Urkundenlehre*, III. Teil; *Die Privaturkunden des Mittelalters*, a section of Below and Meinecke's *Handbuch*. Erben's volume on imperial and royal documents has already appeared; Schmitz-Kallenberg's on the papal is announced for this autumn.

M. J. Delaville le Roulx has collected in a volume entitled *Mélanges sur l'Ordre de S. Jean de Jérusalem* (Paris, Picard, 1910), some eighteen dissertations published by him during the last thirty years, and supplementing in a valuable manner his greater works on the Hospitallers.

An organ of the Roman curia little studied hitherto is examined carefully, as to its origins at least, in M. Léonce Celier's *Les Dataires du XV<sup>e</sup> Siècle et les Origines de la Daterie Apostolique* (Paris, Fontemoing, 1910, pp. 173), a publication of the French Schools of Athens and Rome.

Noteworthy articles in periodicals: Paul Allard, *Les Origines du Servage*, III. (Revue des Questions Historiques, July); Siegmund Hellman, *Studien zur Mittelalterlichen Geschichtschreibung*, I. *Gregor von Tours* (Historische Zeitschrift, CVII. 1); Henri Prentout, *Littus Saxonicum, Saxones Bajocassini, Otlinga Saxonia* (Revue Historique, July-August); P. Fournier, *Le Décret de Burchard de Worms: Ses Caractères, son Influence*, I. (Revue d'Histoire Ecclésiastique, July); Emil Dürr, *Galeazzo Maria Sforza und seine Stellung zu den Burgunderkriegen* (Basler Zeitschrift für Geschichte und Altertumskunde, X. 2); H. X. Arquillière, *L'Origine des Théories Conciliaires* (Comptes-rendus de l'Académie des Sciences Morales et Politiques, May).

### MODERN EUROPEAN HISTORY

Whoever hereafter studies European diplomacy in any aspect involving the papacy, in the period from 1500 to 1648, must by all means possess a volume compiled by Mr. H. Biaudet, *Les Nonciatures Apos-*

*toliques Permanentes jusqu'en 1648*, a publication of the Finnish Academy of Sciences (*Annales*, II. 1, Helsingfors, 1910, pp. x, 329), containing carefully prepared lists of nuncios, with full names and identifications, for all Europe, together with an historical introduction on the office, and full indexes.

Messrs. G. van Oest and Company, of Brussels, have just published a curious and interesting "study in iconographic anthropology" by Dr. Osw. Rubbrecht, *L'Origine du Type Familiale de la Maison de Habsbourg* (pp. 160, 82 plates), based on a long study of portraits, and illustrated by reproductions of the best of them.

Professor Alfred Gudeman has published a supplement to his *Grundriss der Geschichte der klassischen Philologie* in the form of a collection of portraits, *Imagines Philologorum: 160 Bildnisse aus der Zeit von der Renaissance bis zur Gegenwart* (Leipzig, B. G. Teubner, 1911, pp. viii, 40).

*Archives du Musée Teyler*, serie II., vol. II., deuxième partie (Haarlem, 1911), contains (pp. 79-296) correspondence of Robert Dudley, earl of Leicester, and of François and Jean Hotman, edited by Professor P. J. Blok. In the Leicester correspondence (1582-1588) there are 66 letters, mainly to Leicester; among the correspondents are William, prince of Orange, Henry II. of France, and Henry of Navarre. The letters to François Hotman (37 in number) date from 1580 to 1589; those (numbering 27) to Jean Hotman, who was secretary to Leicester, begin in 1586 and extend to 1609. This entire group of hitherto unpublished correspondence is of unusual value for the diplomatic and political history of the period.

Messrs. Ch. De Lannoy and H. Vander Linden have published the second volume of their *Histoire de l'Expansion Coloniale des Peuples Européens*, bearing the subtitle *Néerlande et Danemark, XVII<sup>e</sup> et XVIII<sup>e</sup> Siècles* (Brussels, H. Lamertin, 1911, pp. 487).

MM. Plon-Nourrit have published a *Table Alphabétique des Noms Propres* for Sorel's *L'Europe et la Révolution Française*, the work being prepared by M. Albert Émile Sorel.

There is announced by the military publishing house of Henri Charles Lavanzelle, Paris, a new volume on Waterloo, accompanied by new documents.

The history of the Russian-Japanese war that is being published by the Russian General Staff is being issued rapidly in a German translation (Berlin, Mittler und Sohn), several volumes having appeared in 1910. The translator is Lieut.-Colonel von Tettau and the edition will be complete in five volumes in lieu of the nine of the original, a large portion being omitted as of little interest outside Russia. Lieut.-Colonel von Tettau is the author of a highly-praised work entitled

*Achtzehn Monate mit Russlands Heeren in der Mandchurei*; he commends strongly the objectivity of the staff history of the war.

F. Alcan, Paris, has published in the *Bibliothèque d'Histoire Contemporaine* a third enlarged and revised edition of A. Tardieu's *La Conférence d'Algésiras: Histoire Diplomatique de la Crise Marocaine*. The additions are mainly in an appendix entitled, "Le Maroc après la Conférence, 1906-1909".

Noteworthy articles in periodicals: P. Kalkoff, *Zu Luthers Römischen Prozess* (*Zeitschrift für Kirchengeschichte*, XXXII. 2); J. Rauscher, *Der Halleysche Komet im Jahre 1531 und die Reformatoren* (*Zeitschrift für Kirchengeschichte*, XXXII. 2); *The Battle of Fontenoy* (*Edinburgh Review*, July); François Rousseau, *L'Ambassade du Marquis de Talaru en Espagne* (*Revue des Questions Historiques*, July); A. Stern, *Zur Geschichte der Mission des Baron von Werner nach Berlin im September 1845* (*Historische Zeitschrift*, CVII. 3).

#### GREAT BRITAIN AND IRELAND

Professor George Henderson's first course of Glasgow lectures on folk-psychology has been published under the title *Survivals of Belief among the Celts* (Glasgow, 1911, pp. 364); the examples of pagan survival into Christian times are taken chiefly from Scotland.

The Cambridge University Press has issued in three volumes (pp. 498, 496, 568) *The Collected Papers of Frederic William Maitland*, on the importance of which it is needless to enlarge. Nearly all Maitland's scattered writings save his Selden Society prefaces are included; nearly all lie in the field of legal and social history.

In the *Victoria History of the Counties of England* the latest issues are volume IV. of Hampshire and the Isle of Wight and volume IV. of Lancashire.

In *A History of Architecture in London* (London, Batsford) Mr. Walter H. Godfrey accompanies all his historical chapters with citation and drawings of examples in London still in existence.

Grotesque and trivial as serjeanties may appear in the daylight of the twentieth century, no one will question the difficulties presented by their history, the light it may throw on legal and constitutional matters in the remote past, nor the unique fitness of Mr. J. Horace Round to deal with it. This he has done in *The King's Serjeants and Officers of State, with their Coronation Services* (London, Nisbet and Company, 1911, pp. xviii, 416).

Mr. Francis A. Hibbert, headmaster of Denstone, has published a careful and well-documented monograph on *The Dissolution of the Monasteries in Staffordshire*.

The Oxford University Press announces the publication of *Anglo-Dutch Rivalry, 1600-1653*, by Rev. George Edmundson, and of volume IV. of Professor C. W. C. Oman's *History of the Peninsular War*.

*The Transactions of the Baptist Historical Society*, vol. II., no. 3, contains an article by Mr. Champlin Burrage on "Chamberlen's First Day Church", presenting contemporary records of an early Separatist church, organized in 1653-1654; also an article on the Fifth Monarchy Movement, by Mr. Farree.

Messrs. Constable and Company have just published *Municipal Origins*, by Mr. F. H. Spencer, which proceeds from the London School of Economics and is occupied with the private bill legislation of the eighteenth and early nineteenth centuries, so far as it related to local governing bodies.

*British Statesmen of the Great War, 1793-1814* (the Ford Lectures for 1911), by Hon. J. W. Fortescue, has been published by the Oxford University Press.

M. Jacques Bardoux has added to his studies of Queen Victoria a volume entitled *Victoria I., Édouard VII., Georges V.*, in which he aims to expound the personal element in nineteenth-century English monarchical government and to trace its evolution. The book will be a valuable supplement to the more formal constitutional treatises.

*The Life and Letters of Sir John Hall* (Longmans), by S. M. Mitra, for which Rear-Admiral Sir R. Massie Blomfield has written an introduction, purports to be the first authoritative history of the medical department of the British army in the Crimea. Sir John Hall was the principal medical officer of the army.

British government publications: *Report on the Manuscripts of Lord Polwarth*, I. [1716-1725, Historical Manuscripts Commission].

Other documentary publications: *Registers of Bishops Baldock, Segrave, Newport, and Gravesend of London*, II., *Grosseteste of Lincoln*, I., II., *Trillek of Hereford*, I. (Canterbury and York Society); *Records of Inverness*, vol. I., *Burgh Court Books*, 1556-1586, ed. William Mackay and Herbert Cameron Boyd (Aberdeen, New Spalding Club); *Diary of Sir Archibald Johnston of Wariston*, 1632-1639, ed. Dr. George M. Paul (Scottish Historical Society).

Noteworthy articles in periodicals: C. H. Haskins, *England and Sicily in the Twelfth Century* (English Historical Review, July); C. L. Wells, *The Origin of the Petty Jury* (Law Quarterly Review, July); E. M. Blackie, *Reginald Pecock* (English Historical Review, July); G. Constant, *La Transformation du Culte Anglican sous Édouard VI.*, conclusion (Revue d'Histoire Ecclésiastique, July); E. M. G. Routh, *The English at Tangier* (English Historical Review, July); Comte Marc de Germiny, *Les Brigandages Maritimes de l'Angleterre sous le Règne de Louis XVI.*, I. (Revue des Questions Historiques, July); H. A. L. Fisher, *The Historical Work of Lord Acton* (Quarterly Review, July); C. H. Bastide, *La Crise Constitutionnelle en Angleterre* (Revue de Synthèse Historique, April).



## FRANCE

The first fascicule of the fourth volume of the *Inventaire Sommaire des Archives Historiques* has been published by the French Ministry of War (1910). It contains notices of volumes 2905-3094 of the principal series, "Correspondance", covering the years 1741-1745, and relating mainly to operations in Germany and the Netherlands.

The *Bibliothèque de l'École des Chartes* for January-April, 1911, publishes, in pursuance of the practice begun in 1903, a biennial summary of additions to the French and Latin manuscripts in the Bibliothèque Nationale during 1909 and 1910. This is the fifth such summary and it is announced that there will be published shortly a *Répertoire Général Alphabétique* of such additions for the period 1891-1910. The present list is prepared by H. Omont and represents 463 volumes; it does not however include M. Léopold Delisle's important collection of manuscripts relating to the history of Normandy, acquired by the National Library at his death, as the cataloguing was not yet completed.

The Academy of Inscriptions and Belles-Lettres has awarded the Grand Prix Gobert to M. Charles de la Roncière for his *Histoire de la Marine Française*, tomes III. and IV.

The large literature of the Religious Wars in France has been added to by a volume entitled *Les Luittes Religieuses en Champagne au XVI<sup>e</sup> Siècle: La Ligue*, by A. Prevost (Troyes, G. Fremont, 1911, pp. xvi, 348).

There has been added to the *Collection de Documents Inédits sur l'Histoire de France* a volume entitled *Les Actes de Sully passés au Nom du Roi de 1600 à 1610 par devant M. Simon Fournyer, Notaire au Châtelet de Paris*, ed. F. de Mallecoüe (Paris, Imprimerie Nationale, 1911, pp. lxxii, 516).

Mr. Paul Decharme's *Le Comptoir d'un Marchand au XVII<sup>e</sup> Siècle* (Paris, Hachette, pp. lxxvii, 245), based on the commercial correspondence, 1678-1700, of Charles Lion, merchant of Honfleur, illustrates interestingly the nature and course of mercantile business in the time of Louis XIV.

A figure of considerable interest to Americans, though of secondary historical importance, is treated competently though in a laudatory spirit by the Marquis Calmon-Maison in *L'Amiral d'Estaing* (Paris, Calmann-Lévy, 1910, pp. 513).

Among the recent volumes in the *Collection de Documents Inédits sur l'Histoire Économique de la Révolution Française* are a third volume of M. Mourlot's selection of documents from the district of Alençon, a second volume of M. Vernier's *cahiers* of the *bailliages* of Troyes and Bar-sur-Seine, and the initial volumes of two new groups on the sale of the *biens nationaux*, *Vosges* (Épinal), edited by M. Léon Schwab (pp. lxxxvii, 384), and *Gironde* (Bordeaux and Bourg), edited by MM. Marion, Benzacar, and Caudrillier (pp. xxxviii, 710).

An interesting addition to the material accumulated in the effort to connect Revolutionary and Napoleonic policies with the Old Régime is presented in Fr. Charles Roux's *Les Origines de l'Expédition d'Égypte* (Paris, Plon, 1910, pp. 343). He shows how the conception of Turkish alliance and maintenance of Turkish integrity had through the later eighteenth century been yielding in French policy before the perception of Turkish decline and how the idea of a French possession of Egypt as essential in the contest with England had been coming forward.

Part I. of the *Histoire Générale du Théâtre en France* (Paris, Flammarion) has been completed by the publication of tome V., being *La Comédie de la Révolution au Second Empire*, by M. Eugène Lintilhac.

The Librairie Renouard has published volume II. of M. Henri Bouilhet's *L'Orfèvrerie Française aux XVIII<sup>e</sup> et XIX<sup>e</sup> Siècles*, a volume covering the period 1800-1860. The first volume of this work covered the eighteenth century; the third will deal with the period 1860 to 1900. The books are profusely illustrated and are the work of one of the leading representatives of the art in France in the latter part of the nineteenth century.

Frédéric Loliée, author of *Le Duc de Morny et la Société du Second Empire*, has of late been devoting his gifts and attainments in the personal and gossippy sides of history to the career of Talleyrand, and some time ago published a volume entitled *Talleyrand et la Société Française*. This work has now been completed by a second volume on *Talleyrand et la Société Européenne* (Paris, Émile Paul, 1911).

An extensive *Histoire de la Guerre de 1870-1871*, in fourteen volumes, by J. L. Poirier and H. Bricoux, is to be published (Paris) by the Librairie d'Éditions et de Publications Littéraires, the first volume to be issued in August, 1911, and the later ones at intervals of three months. The two volumes on the siege of Paris will however be distributed in weekly parts from August, 1911.

An important new work begins with the publication of volume I. of Edmond Lepelletier's *Histoire de la Commune de 1871* (Paris, Mercure de France, 1911, pp. 555).

*Souvenirs de Casablanca*, by Captain Paul Azan (Paris, Hachette, 1911, pp. xiii, 417), is a vivid and exceedingly minute narrative of an interesting episode of recent North African warfare, composed from diaries and illustrated by many photographs, by a clever and competent young officer.

M. Paul Lacombe, who in 1902 published a *Bibliographie des Travaux de M. Léopold Delisle*, has now issued a supplement (Paris, Henri Leclerc, 1911, pp. xxiii, 87), containing the numbers 1890-2102 and various corrections to the main bibliography.

An important addition to the religious and artistic history of France is the work entitled *Le Mont Saint-Michel: Histoire de l'Abbaye et de la Ville: Étude Archéologique et Architecturale des Monuments*, by Paul Gont, Architecte-en-Chef des Monuments Historiques (Paris, Armand Colin, 1911, pp. 772, with 470 engravings and 38 plates). It has been awarded the Prix Bordin by the Academy of Inscriptions and Belles-Lettres.

M. François Galabert, conservator of the Toulouse archives, projects, with the aid of M. Clovis Lassalle, the publication of an *Album de Paléographie et de Diplomatie, Fac-similés de Documents relatifs à l'Histoire du Midi de la France et en particulier de la Ville de Toulouse, conservés dans les Archives Méridionales*. The work will be published at Toulouse in ten issues, through five years; the facsimiles will be complete and will be accompanied by transcriptions.

Paul Courtreault gives in the *Revue des Questions Historiques* for July, under the title "Bulletin du Sud-Ouest (1909-1910)", "une vue d'ensemble sur le progrès des études préhistoriques, archéologiques et historiques dans le Sud-Ouest de la France". He cites the efforts of the Union Historique et Archéologique du Sud-Ouest (organized 1907) as representing considerable advance in scientific work in this region; the Union publishes a quarterly *Bulletin* especially in the interests of regional bibliography.

The archives of the Grimaldi family (of Genoese origin and established in Provence in the sixteenth century) acquired recently by the Prince of Monaco, have now been made accessible to students through the publication of an inventory prepared by M. G. Lavergne (Paris, Picard, 1911, pp. xii, 323). There are many documents of general interest. The Grimaldi family occupies a prominent place in a book announced by Fontemoing with the title *Les Cavallerone en France et les Cavallerone de Caravanna, 1440-1911*, by Théophile Cavallerone.

Noteworthy articles in periodicals: Gustave Fagniez, *Fancan et Richelieu*, II. (*Revue Historique*, July-August); L. de Preaudeau, *Fénelon Révolutionnaire* (*Revue des Études Historiques*, March-April); J. Loutchisky, *Les Classes Paysannes en France au XVIII<sup>e</sup> Siècle*, I., II. (*Revue d'Histoire Moderne et Contemporaine*, May-June, July-August); W. Hasbach, *Ist Montesquieu ein Anhänger der Lehre von der Volkssouveränität* (*Zeitschrift für Sozialwissenschaft*, 1911, 1); L. Abensour, *Le Féminisme sous la Monarchie de Juillet*, II. (*Revue d'Histoire Moderne et Contemporaine*, May-June); Chr. Pfister, *Les Régions de la France*, VIII. *La Lorraine, le Barrois et les Trois-Évêchés* (*Revue de Synthèse Historique*, April).

#### ITALY, SPAIN, AND PORTUGAL

The *Annuario del R. Archivio di Stato in Milano per l'anno 1911* (Milan, Palazzo del Senato, pp. 147) is the first important Italian pub-

lication of the kind, and may be taken as witnessing to a growing activity in this field and showing the substantial results of the work of the new Scuola di Paleografia.

The whole work of the Società Storica Subalpina during its first eleven years of existence, 1899-1910, comprehending the sixty volumes of its *Biblioteca*, is described and reviewed at length in some thirty pages of the *Rivista Storica Italiana*, fourth series, III. 2, by Professor L. C. Bollea.

In volume II. of *Studi e Memorie per la Storia dell' Università di Bologna* (Bologna, 1911, pp. 229) the chief contents are a long article by Professor Giovanni Martinotti on the teaching of anatomy in Bologna before the nineteenth century, and another by the same author on the relation of Archbishop Prospero Lambertini, afterward Pope Benedict XIV., to that study.

An interesting addition to the monographic material for the relations between State and Church in the later Middle Ages is Oscar Wilhelm Canz's *Philipp Fontana Erzbischof von Ravenna: Ein Staatsmann des XIII. Jahrhunderts* (Leipzig, Quelle und Meyer, 1911, pp. xii, 103). Fontana was one of the chief aids of the papacy in the struggle with the imperial authority in Upper Italy; this study covers the period 1240-1270.

Dr. Karl Frey's new critical edition of Vasari's *Vite de' più eccellenti Pittori, Scultori e Architettori* (Munich, Georg Müller) begins with the publication of the first of seven or eight volumes (pp. xxiv, 914), covering only the artists from Cimabue to the Pisani, and presenting in introductions, notes, and appendixes an extraordinary variety of explanatory and illustrative matter, especially abundant in respect to the discoveries of the last twenty years in the history of Italian art. Meanwhile the Medici Society of London inaugurates its own commemoration of Vasari's quattrocentenary by bringing out the first of a luxurious series of ten volumes containing the *Lives* in a new English translation by Mr. Gaston de Vere, elaborately edited and annotated by Messrs. Edward Hutton and F. Mason Perkins.

The librarian of the Vatican Library, Mgr. Franz Ehrle, S. J., has followed his production of Du Pérac's Map of Rome, A. D. 1577 (XV. 133 of this journal) with a second issue in the same series, *Roma al Tempo di Giulio III.: La Pianta di Roma di Leonardo Bufalini del 1551, riprodotta dall' Esemplare esistente nella Biblioteca Vaticana* (Rome, Danesi, 1911). The reproduction is of great value and the text, a masterpiece of topographical learning and acumen, covers the life and works of Bufalini and the stage reached in his time by the art of engraving and the print-trade, as well as the needful comment upon the map itself. The series, *Le Piante Maggiori di Roma dei Secoli XVI e XVII*, will be continued with phototypes of seventeenth-century maps, edited in the same elaborate manner.



M. Jacques Rambaud's doctoral thesis *Naples sous Joseph Bonaparte, 1806-1808* (Paris, Plon-Nourrit, pp. li, 572), is based on thorough researches in the archives of Paris, London, Naples, Palermo, and Rome. He has also separately published through the same house a volume of *Lettres Inédites ou Éparses de Joseph Bonaparte à Naples, 1806-1808*.

Mr. George Macaulay Trevelyan's *Garibaldi and the Making of Italy*, continuing his previous works in the same field, will be soon published by Messrs. Longmans.

The Italian semi-centennial celebrations have resulted in the publication by the Chamber of Deputies of a collection of documents, *Le Assemblee del Risorgimento*, in fifteen volumes, illustrating the history of the various representative assemblies of the period indicated, at Rome (four volumes), in Sicily (four), in Tuscany (three), at Naples (two), and elsewhere, with useful historical introductions.

The Conde de las Navas, librarian of the King of Spain, has begun the publication of an extensive *Catálogo de la Real Biblioteca* (Madrid, Ducasal). Two quarto volumes have been issued. The first is devoted to a history of the royal libraries of Spain.

Under the editorship of Don Juan Sanchez, it is announced, a journal devoted to monographs and articles in Spanish and Spanish-American history will soon begin to be published in Madrid (Suarez), bearing the title *Archivo de Investigaciones Historicas (España y América Española)*.

P. Boissonade contributes to the *Revue de Synthèse Historique* for April, 1911, an important review of "Les Études relatives à l'Histoire Économique de l'Espagne et leurs Résultats". It covers the Visigothic and Mussulman periods.

Professor John M. Burnam of the University of Cincinnati intends to publish, in fifteen fascicules (Paris, Champion), *Paleographia Iberica*, containing facsimiles of manuscripts and documents of Spain and Portugal, ranging from the eighth to the fifteenth century.

A recent study of much general value for workers in Spanish material is Vlastimil Kybal's *Über die Bedeutung des General-Archivs zu Simancas für die neuere Geschichte Oesterreichs* (Wien, Gesellschaft für Neuere Geschichte Oesterreichs, 1910, pp. 65). The author goes thoroughly into the conditions of the use of the Simancas archives since their opening in 1844 and into the nature and value of the collections. As an appendix he prints the parts relating to Germany of the inventories of 1630 and 1819.

The first number of *Revista del Centro de Estudios Históricos de Granada y su Reino*, issued in the beginning of the present year, has come to hand. The title of the new periodical indicates in a general way its aims. The principal article in this issue is "Entrada de los Reyes Católicos en Granada al Tiempo de su Rendición", by Señor Mariano Gaspar Remiro, director of the *Centro*. Señor Remiro also

discourses upon the inscriptions of the Alhambra; Señor Nicolás Pérez Serrano contributes a paper entitled "Alzamiento de Alahmar en Arjona".

Noteworthy articles in periodicals: Weil, *Marie Caroline Reine de Naples: Lettres Inédites au Marquis de Gallo* (Revue Historique de la Révolution Française, II. 1); W. Friedensburg, *Die Einigung Italiens* (Deutsche Rundschau, March); Ersilio Michel, *Giuseppe Mazzini a Firenze e a Napoli dal Luglio al Dicembre 1860* (Nuova Antologia, April 1); G. C. Barbavara, *Le Relazioni di Cavour con Garibaldi nel Biennio 1860-1861* (Piemonte, II. 3-4).

#### GERMANY AND AUSTRIA

R. Oldenbourg, Munich, has published as the concluding section of Band 18 of the Bavarian Historical Commission's *Geschichte der Wissenschaften in Deutschland*, the third and final section of Professor Ernst Landberg's *Geschichte der Deutschen Rechtswissenschaft*, consisting of a volume of text (pp. xvi, 1008) and a volume of notes (pp. viii, 414).

Band VII. of Hiersemann's *Handbücher* is entitled *Deutschlands Mittelalterliche Kunstdenkmäler als Geschichtsquelle*, by Oscar Daering (Leipzig, Karl W. Hiersemann, pp. xv, 414, with 119 illustrations). The author comes from the Carolingian period to 1500 and deals with all varieties of artistic work. The same publisher has issued *Deutsche und Niederländische Holzbildwerke in Berliner Privatbesitz*, by Dr. M. J. Friedlander, director of the Kaiser Friedrich Museum, the publication being under the auspices of the Kunstgeschichtliche Gesellschaft of Berlin.

Heft 24 of Brandenburg, Seeliger, and Wilcken's *Leipziger Abhandlungen* entitled *Zur Geschichte des Reichsmatrikelwesens im ausgehenden Mittelalter (1422-1521)*, by Johannes Sieber, is a doctoral dissertation at the University of Leipzig. The author does not present his work as a complete study of the subject, and acknowledges that as the publication of the *Reichstagsakten* has reached only the year 1438 such a study is not yet possible; he has proceeded on the belief however that the older material is sufficient for a preliminary study and that later detail will not modify the conclusions essentially.

Of considerable interest as a survey of the state of the question is the recent rectoral address at Tübingen of Anton Buhler, *Wald und Jagd zu Anfang des 16. Jahrhunderts und die Entstehung des Bauernkriegs* (Tübingen, J. C. B. Mohr, 1911, pp. 28). He concludes that while the forest claims of the peasants were not always legally sound, their complaints of injury through the game conditions were thoroughly justified.

Karl W. Hiersemann, Leipzig, announces the publication of *Hans Burgkmair des Jüngerer Turnierbuch von 1529*, in imperial folio, comprising sixteen hand-colored plates with explanatory text, edited by Dr.

Heinrich Pallmain. These plates had their origin in earlier wood-engravings of actual tournaments, executed by Albrecht Dürer and Hans Burgkmair the Elder by direction of the Emperor Maximilian, and the present facsimile reproductions will be of much value for those interested in the knightly equipment of the period. The book is published at 200 marks.

Georg Witzel continues in the *Westdeutsche Zeitschrift* (XXIX. 4) his studies in the economic aspects of the emigration from the Netherlands into Germany in the sixteenth century, dealing particularly with the foundation thus laid for silk industries in Frankfort during the period 1562-1614.

Mr. E. F. Henderson contributes to the *Heroes of the Nations* series (Putnams) a book on Blücher.

Professor Friedrich Meinecke's *Weltbürgerthum und Nationalstaat: Studien zur Geschichte der Deutschen Nationalstaates*, is announced in a second revised edition by Oldenbourg (Munich, pp. viii, 515). The work deals particularly with the development of the idea of German nationality through the eighteenth and nineteenth centuries and with the growth of the idea and fact of Prussian leadership.

Dr. Kurt Dorien, in his *Der Bericht des Herzogs Ernst II. von Koburg über den Frankfurter Fürstentag 1863: Ein Beitrag zur Kritik seiner Memoiren* [Historische Bibliothek von der *Historischen Zeitschrift*, Band 21] (Munich, Oldenbourg, 1910, pp. xiii, 170), chooses the particular episode of the Fürstentag of 1863 as a means of testing the *Memoirs of Duke Ernest II.*, pursues the test somewhat ponderously and diffusely, and concludes, as one might expect, that memoirs springing from so warm a temperament are not an impeccable source of historical knowledge.

The J. B. Metzlersche Buchhandlung, Stuttgart, has published *Bismarck und die Hohenzollernkandidatur in Spanien*, by Ernst Marx. The study is directed especially to the problem of Bismarck's motives in forwarding the candidacy.

The recent series of articles by M. Georges Goyau in the *Revue des Deux Mondes* has now made its appearance in book form under the title *Bismarck et l'Église: Le Kulturkampf, 1870-1878* (Perrin, two volumes).

Dr. R. Charmatz's little *Oesterreichs Innere Geschichte von 1848 bis 1907* (Leipzig, Teubner, 1908; see this journal, XIV. 586, XV. 391) has advanced to a second edition, published with but slight changes.

Among the few new books on Bohemian history a prominent place will be taken by Professor Louis Leger's *La Renaissance Tchèque au XIX<sup>e</sup> Siècle* (Paris, F. Alcan, 1911, pp. xv, 273).

A recent issue of the *Leipziger Historische Abhandlungen* (Brandenburg, Seeliger, and Wilcken) is *Das Territorium der Reichsstadt Mühl-*

hausen i. Th.: *Forschungen zur Erwerbung, Verwaltung und Verfassung der Mühlhauser Dörfer*, by Dr. Raimund Steinert (Leipzig, Quelle und Meyer, 1910, pp. xv, 98). This very promising dissertation is based mainly on the Mühlhausen archives, and aims to trace in detail the gathering together of the Mühlhausen lands, and to describe the conditions of organization and government under which the rural subjects of the imperial city lived throughout its free career. A study of this kind executed with the care and thoroughness that marks this volume cannot fail to be an important addition to our exact knowledge of the old Germany.

Noteworthy articles in periodicals: Fritz Hartung, *Die Wahlkapitulationen der Deutschen Kaiser und Könige* (Historische Zeitschrift, CVII. 3); O. Rachel, *Die Handelsverfassung der Norddeutschen Städte vom 15. bis 18. Jahrhundert* (Jahrbücher für Gesetzgebung, 1910, 3); A. C. McGiffert, *Martin Luther and his Work*, VIII., IX., X. (Century, July, August, September); R. von Schrötter, *Die Ergänzung des Preussischen Heeres unter dem ersten Könige* (Forschungen zur Brandenburgisch-Preussischen Geschichte, XXIII. 2); M. Hamisch, *Das Oesterreichische Tabakmonopol im 18. Jahrhundert* (Vierteljahrschrift für Sozial- und Wirthschaftsgeschichte, VIII. 2-3); H. Van Houtte, *Contribution à l'Histoire Commerciale des États de l'Empereur Joseph II.* (Vierteljahrschrift für Sozial- und Wirthschaftsgeschichte, VIII. 2-3); H. Oncken, *Deutschland und Oesterreich, 1871-1911* (Deutsche Rundschau, April); O. Schneider, *Bismarck und die Preussisch-Deutsche Freihandelspolitik* (Jahrbücher für Gesetzgebung, 1910, 3); G. Goyau, *Bismarck et l'Épiscopat*, V. (Revue des Deux Mondes, May 7); C. Varrentrapp, *Briefe an Ranke von einigen seiner Schüler: Sybel, Carlson, Herrmann, Pauli und Noorden* (Historische Zeitschrift, CVII. 1).

#### NETHERLANDS AND BELGIUM

The Historisch Genootschap te Utrecht has published in two volumes of its *Werken* (third series, no. 27, ed. J. A. Feith and H. Brugmans) *De Kroniek van Abel Eppens tho Equart*, an important new source for the history of Groningen and East Friesland, especially for the period 1580-1589; and will shortly issue a volume of church visitations of the same century, *Kerkvisitaties in het Sticht Utrecht in 1566 en volgende Jaren*, ed. S. Muller Fz.

The Dutch Committee of Advice on National Historical Publications has entrusted to Dr. Gisbert Brom, director of the Dutch Historical Institute in Rome, the preparation of a collection of documents in Roman archives illustrating the history of Reformation and Counter-Reformation in the Netherlands, 1517-1602.

Noteworthy articles in periodicals: V. Pabst, *Die äussere Politik der Grafschaft Flandern unter Ferrand von Portugal, 1212-1233* (Bulletin de la Commission Royale [Belge] d'Histoire, LXXX. 2).



### NORTHERN AND EASTERN EUROPE

The Taylorian Curators at Oxford have elected Professor C. Raymond Beazley of Birmingham to give the Ilchester Lectures on Russian History in 1912.

Volume IV. of the Cornell University Library's *Islandica*, prepared like the preceding annual issues by Mr. Halldór Hermannsson (Ithaca, 1911, pp. 83), is devoted to the ancient laws of Norway and Iceland. It is not, like its predecessors, confined to books already in the Fiske Library, but presents the general bibliography of the subject as completely as possible, and with sparing but excellent annotations.

MM. Perrin, of Paris, have published *L'Europe et la Jeune Turquie: Les Aspects Nouveaux de la Question d'Orient*, by René Pinon, author of various other works in this field.

### THE FAR EAST AND INDIA

Professor K. Asakawa's Notes on Village Government in Japan after 1600, in volumes XXX. and XXXI. of the *Journal of the American Oriental Society*, give more complete institutional information of this side of Japanese feudalism than can be found elsewhere in English.

Hawking L. Yen's *Survey of the Constitutional Development in China*, which appears among the *Columbia University Studies in History, Economics, and Public Law* (Longmans), is the work of an Oriental who maintains that Western civilization may learn something to its advantage from the political institutions of China.

*De Vestiging van de Nederlanders aan de Kust van Koromandel*, doctoral dissertation of Mr. Heert Terpstra (Groningen, De Waal, 1911, pp. 212), confines itself to the period of foundation, from the voyage of the *Delft*, 1605, to the end of 1610. The importance of the Coromandel coast to the Dutch lay in the opportunity for carrying trade by exchanging its cottons against the spices of the Moluccas. With careful archival research and excellent knowledge of these cloths and of commercial and economic conditions in the East Indies, Mr. Terpstra tells with sobriety an interesting and not unimportant tale.

### AMERICA

#### GENERAL ITEMS

Mr. W. G. Leland's researches in Paris archives on behalf of the Carnegie Institution of Washington are drawing to a conclusion and he will return to the United States in November. The summer not sufficing for the inspection of the Foreign Office and Admiralty papers from 1837 to 1860, undertaken by Professor Charles E. Fryer in order to complete the volume prepared by Dr. Charles O. Paullin and Professor Frederic L. Paxson, its completion will be carried through by Mr. David W. Parker, who goes to London for that purpose in October. Meantime he has finished at Halifax and Fredericton, as well as at Ottawa, the prepa-

ration, so far as those archives are concerned, of his *Guide to the Materials for United States History in Canadian Archives*. Examination of the archives of Toronto is necessarily postponed by local conditions. It has been decided that Mr. Roscoe R. Hill's calendar of the materials for United States history in the section of the Archives of the Indies known as the "Papeles procedentes de la Isla de Cuba" shall be extended a year longer than was originally contemplated, being brought to a termination in the spring of 1913 instead of 1912, by reason of the unexpected abundance of material found. Much of the endeavor of the Department of Historical Research in the year 1912 will be devoted to preparations for the making of an atlas of the historical geography of the United States.

The Division of Manuscripts in the Library of Congress has recently acquired the public and private papers, 1810-1876, of the Emperor Augustin Yturbe of Mexico; a miscellaneous collection of manuscripts relating to West Florida affairs and Andrew Jackson's connection therewith, 1799-1827; the papers of Gideon Welles; and those of J. L. M. Curry. *The Calendar of Van Buren Papers* has been issued.

*A History of the United States for Schools*, with maps and illustrations, by A. C. McLaughlin and C. H. Van Tyne, has been published by Appleton.

The May number of the *Magazine of History* contains a statement by Mr. Victor H. Paltsits concerning the classic nomenclature of western New York, which shifts the responsibility for that nomenclature from the shoulders of Simeon DeWitt to those of Governor George Clinton, Secretary Lewis A. Scott, Treasurer Gerard Bancker, and Auditor Peter T. Curtenius. The *Magazine* also prints several letters of interest, including one from James McHenry to Governor Hawley (January 2, 1781), one from Henry Knox to Samuel Osgood (July 9, 1782) concerning Baron Steuben, and one from Washington to John Gill (November 12, 1799) relative to a land transaction. There is also a portion of a letter from James Madison to Alexander Hamilton (November 27, 1797), which sounds like the preliminaries of a duel. It is to be regretted that the *Magazine* could not print the letter entire since it brings into view an episode in the personal history of the two men that is not generally known. The entire letter, nevertheless, leaves the episode still in some obscurity.

Mr. Edward Myers is publishing in the *Magazine of American History*, a small periodical issued at Port Chester, New York, some brief sketches of the work of the Society for the Propagation of the Gospel in Foreign Parts.

Dr. B. C. Steiner continues his annalistic survey of Maryland history by an installment in the *Johns Hopkins University Studies* (XXIX. 1) entitled *Maryland under the Commonwealth: a Chronicle of the Years 1649-1658* (pp. 178). No. 2 of the volume is *The Dutch Republic and*

*the American Revolution*, by Dr. Friedrich Edler of the German embassy in Washington. A monograph by Professor W. T. Laprade on the History of Slavery in the District of Columbia is announced to appear in the same series.

Students of the history of American educational management will be glad to have *A History of Public Permanent Common School Funds in the United States, 1795-1905* (New York, Holt, 1911, pp. 493), by Mr. Fletcher H. Swift, professor of education in the University of Minnesota.

Mr. Otto Heller contributes to the January issue of the *German American Annals* several of Charles Sealsfield's descriptions of American life, which appeared in German periodicals in 1828, and Mr. Preston A. Barba discusses the sources of these descriptions. In the same number of the *Annals* appears an installment of the "Journal of Du Roi the Elder", lieutenant and adjutant in the service of the Duke of Brunswick, 1776-1777, translated from the original German manuscript in the Library of Congress by Charlotte S. J. Epping.

#### ITEMS ARRANGED IN CHRONOLOGICAL ORDER

No. 81 of the *Publications* of the Hispanic Society of America is an *Atlas of Portolan Charts, printed in facsimile of Manuscript in the British Museum*, edited by Dr. E. L. Stevenson, who writes an introduction and gives a list of the charts.

Professor Ernst Daenell, well known in various American universities through his lecture courses of the past year, has just published *Die Spanier in Nordamerika von 1513 bis 1824*, as Band 22 of the *Historische Zeitschrift's Historische Bibliothek* (Munich, R. Oldenbourg, pp. xv, 247).

Volume I. of *An Historical Digest of the Provincial Press*, compiled and edited by L. H. Weeks and E. M. Bacon, the plan of which was mentioned in a previous number of this journal, has now appeared (Boston, Society for Americana).

Mr. Clarence M. Burton has edited, and the Society of Colonial Wars of the State of Michigan has published (Detroit, pp. 55, with three maps), the *Journal of J. L. [John Lees, sr.] of Quebec, Merchant*, being Brit. Mus. Add. MS. 28,605. It is a journal of travel from London in 1768 to Boston, New York, Albany, Fort Stanwix, Fort Oswego, Niagara, Erie, Detroit, and Montreal, and is an interesting narrative, very well annotated.

The Rev. Madison C. Peters has written a sketch bearing the title *Haym Salomon, the Financier of the Revolution: an unwritten Chapter in American History* (Baker and Taylor Company, pp. 49). The sketch is produced in connection with the movement to erect a monument to Salomon. As touching this movement attention may be called to a note entitled "False Heroes", by Mr. Worthington C. Ford, in the *Nation* for June 29.

The Treasury Department's Committee on Auditing has issued a report on *The Accounting System of the United States from 1789 to 1910* (Washington, 1911, pp. 116), embracing some 20 pages of historical data followed by a reprint of laws relating to the auditing offices.

M. Albert Mathiez has published in separate form the *Lettres de Volney à La Révellière-Lépeaux, 1795-1798*, respecting America.

*Rafinesque: a Sketch of his Life, with Bibliography* (pp. 239), by T. J. Fitzpatrick, M. S., has been published at Des Moines by the Historical Department of Iowa. Constantine Samuel Rafinesque, naturalist, was born in a suburb of Constantinople in 1783, came to the United States first in 1802, and took up his residence permanently in this country in 1815. From 1819 to 1825 he lectured at Transylvania University in Lexington, Kentucky; afterward he made his residence principally in Philadelphia, where he died in 1840. He made numerous scientific excursions in different parts of the United States, particularly in the West, and wrote many books and articles on subjects of natural history. The author of this sketch gathers the principal facts in the life of Rafinesque and includes several appreciations (and some criticisms) from fellow naturalists. The sketch occupies 62 pages of the volume, the bibliography 155, including numerous title-pages in facsimile, and a "Bibliotheca Rafinesque" covers twenty pages more.

Mr. A. C. Quisenberry's *General Zachary Taylor and the Mexican War*, which appeared in the May number of the *Register of the Kentucky State Historical Society*, has been issued separately by the society (pp. 72), with an introduction by the editor of the *Register*, Mrs. Jennie C. Morton.

A volume of *Selections from the Letters, Speeches, and State Papers of Abraham Lincoln*, edited by Miss Ida M. Tarbell, has been published by Ginn and Company.

*The Photographic History of the Civil War*, which the Review of Reviews Company some time ago projected, has now appeared.

The J. P. Bell Company of Lynchburg have brought out *Personal Reminiscences of the War of 1861-1865*, by W. H. Morgan.

*The History of the 3d, 7th, 8th, and 12th Kentucky, C. S. A.*, by Henry George, has been published in Louisville by C. T. Dearing. The author was a member of the Seventh Kentucky regiment.

A. C. McClurg and Company announce for publication this autumn a volume of recollections by Senator Shelby M. Cullom to be entitled *Fifty Years of Public Service*.

B. W. Huebsch will bring out in the autumn the autobiography of Tom L. Johnson. A biography, by Carl Lorenz, has already appeared from the press of A. S. Barnes and Company.



## LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

Volume XXX. of the *New Hampshire State Papers*, edited by Mr. Albert S. Batchellor (Manchester, pp. xvii, 658) is devoted to miscellaneous Revolutionary documents, including the Association test, the pension rolls, and other important papers.

After twenty-five years of labor, chiefly conducted by the late Messrs. John Noble and William P. Upham, the early files of the courts of last resort in Massachusetts, extending from 1629 to 1800, have been systematically arranged and preserved for historical examination. The collection now fills 1293 volumes of unusual size and contains the records of about 175,000 cases, including about a million papers, illustrating almost every aspect of the history of Massachusetts.

The city registrar of Boston has published as volume XXXIX. of the city's record series the *Minutes of Selectmen's Meetings* from September 1, 1818, to April 2, 1822.

The Essex Institute has recently published the third volume of the *Diary of William Bentley, D.D.*, pastor of the East Church of Salem: it traverses the years 1803-1810.

The Connecticut Historical Society has recently published in its *Collections* the second volume of the Law papers, largely made up of documents respecting the defense of Louisburg, the proposed expedition against Crown Point, and the frontier war against the Indians.

"An Act relating to Public Records and Historical Documents", which was passed by the general assembly of New York in June, creates the office of supervisor of public records and places both that office and the existing office of state historian under the Education Department, the latter office being altered in title to "Division of History". The clause defining the functions of the Division of History is phrased with curious limitations, stating its duties to be the preparation for publication of "all official records, memoranda, and data relative to the colonial wars, war of the revolution, war of eighteen hundred and twelve, Mexican war and war of the rebellion, together with all official records, memoranda, and statistics affecting the relations between this commonwealth and foreign powers, between this state and other states, and between this state and the United States". *Voilà tout*. The governor has appointed Mr. Thomas C. Quinn of New York City supervisor of public records.

The latest historical additions to the *Columbia University Studies in History, Economics, and Public Law* are *Political History of New York State during the Period of the Civil War*, by Mr. S. D. Brummer (New York, Longmans), and Mr. Edgar J. Fisher's *New Jersey as a Royal Province*, which treats of the political history of the province and of its part in the colonial wars and in the preliminaries of the Revolution.

The opening pages of the April issue of the *Pennsylvania Magazine of History and Biography* are devoted to the record of the presentation of the portrait of the late Henry Charles Lea to the Historical Society of Pennsylvania, including remarks by William Brooke Rawle, Hampton L. Carson, and Samuel W. Pennypacker. Mr. Edward R. Turner is the author of a valuable paper on "Slavery in Colonial Pennsylvania", while Mr. William Nelson writes an interesting sketch of the beginnings of the iron industry in Trenton, New Jersey. The principal documentary materials are the continuation of the orderly book of General Muhlenberg; the records of St. Paul's Evangelical Lutheran Congregation, Lehigh County, Pennsylvania, 1750-1764; William Penn's account with Samuel Jennings, receiver-general, 1690-1693; and the town dockets of Chesterfield township, Burlington County, New Jersey, 1692-1712, printed from the original in the Library of Congress. In the "Notes and Queries" department appear several eighteenth-century letters that are of interest.

Documentary publications in the July issue of the same magazine are: letters of James Logan to Thomas Penn and Richard Peters; extracts from the diary of Joseph Heatly Dulles (1814), contributed by Charles W. Dulles; selections from the diary of Christiana Leach, of Kingsessing, 1765-1796, contributed by Robert H. Hinckley; an installment of the orderly book of Colonel Henry Bicker, of the second Pennsylvania Continental line, edited by Dr. John W. Jordan; a letter from Colonel William Thompson, January 25, 1775; and one from General John Armstrong, December 22, 1777. Contributed articles are: "A Philadelphia Schoolmaster of the Eighteenth Century" (David James Dove), by Joseph Jackson; and "Who was the Mother of Franklin's Son", by Charles Henry Hart.

We have received the *Acts and Proceedings* of the sixth annual meeting of the Pennsylvania Federation of Historical Societies held at Harrisburg on January 5. Among the proceedings is a valuable report on the preservation of manuscript records, brought in by a committee composed of Professor Herman V. Ames, Mr. Albert Cook Myers, and Mr. H. Frank Eshleman. The address of the president, Mr. Gilbert Cope, points out the lines of effort of the federation. The conspectus of the work of the component societies continues to be a valuable feature of the *Acts and Proceedings* of the federation as published.

Mr. P. Lee Phillips, chief of the Division of Maps of the Library of Congress, has brought out through Lowdermilk a bibliographical account and facsimile reproduction of the rare map of Virginia and Maryland by Augustine Herrman, first lord of Bohemia Manor, Maryland.

The *Bulletin* of the Virginia State Library for January, 1911, comprises principally "A List of the Official Publications of the Confederate States Government in the Virginia State Library and the library of the Confederate Memorial Literary Society". The items number 659

and include titles of bills, committee reports, resolutions, and other printed documents of a sort not included in Dr. D. S. Freeman's *Calendar of Confederate Papers*. Much also of this material has been brought to light since Mr. Hugh A. Morrison published his *Bibliography of Official Publications of the Confederate States of America*. The *Bulletin* prints also four reports of the superintendent of public printing of the Confederacy belonging to the years 1863 and 1864.

Appended to the *Seventh Annual Report* (1909-1910) of the Library Board of the Virginia State Library is a *Record of Virginia Copyright Entries, 1790-1844*, with an introduction by J. H. Whitty. These entries were copied by Mr. Whitty from loose title-pages which were formerly in the possession of Judge Robert W. Hughes. Another appendix to the *Report* is a monograph of forty-seven pages, made up largely of documentary records, on the seals of Virginia.

The *Virginia Magazine of History and Biography* prints in the July issue a long letter, dated February 10, 1756, from Rev. James Maury to Philip Ludwell on the defence of the frontiers of Virginia. Other items of interest in this number are: the instructions to Lord Culpepper, November 7, 1682, from the Randolph manuscript; a letter from Thomas Ludwell to Lord Berkeley of Stratton relative to conditions in Virginia; some correspondence between Governor Berkeley and Lord Arlington; a letter from Governor Spotswood to the governor of North Carolina (1712) relative to the Indians; and an "Examination of Indians" (1813).

The July number of the *William and Mary College Quarterly Historical Magazine* contains a letter of George Washington to Colonel William Washington, September 21, 1794, a letter of Madison to Thomas W. Gilmer in 1830, on education, one of Clay to the same gentleman, 1836, on distribution of the surplus, and one of Calhoun to the same, 1843, on the political position of Virginia. A list of Virginia pensioners of 1782 is also presented.

The *John P. Branch Historical Papers*, volume III., no. 3 (issued in June) comprises principally a group of letters of Thomas Ritchie, ranging in date from 1813 to 1844, although few of them antedate 1830. A number of the letters are to William C. Rives and relate mainly to politics, several are to Archibald Ritchie, a brother, two are to Martin Van Buren, one to James Madison, and one to Benjamin F. Butler. In addition to the letters there is an address, eight pages in extent, to the Democrats of Virginia, October, 1840, and also an editorial by Ritchie, which appeared in the *Richmond Enquirer*, August 12, 1842, replying to criticisms of his attitude toward John C. Calhoun. A letter of C. W. Gooch to Van Buren (1835) relative to Ritchie possesses considerable interest. This issue of the *Papers* contains also a sketch of William B. Giles, by George M. Betty.

The article of chief interest in the June issue of the *Records of the American Catholic Historical Society* is "Catholics in Colonial Virginia", by Martin I. J. Griffin.

A *Biographical Sketch of Hon. Charles Fenton Mercer, 1778-1858* (pp. 95), by Professor James Mercer Garnett, has been privately printed at Richmond (Whittet and Shepperson). Mercer was for a time a member of the Virginia House of Delegates, and from 1817 to 1840 a member of Congress. During his service in Congress and afterward he was active in opposition to the slave trade. The author includes in his biography an autobiographical sketch of Mercer, twenty pages in extent, some of his addresses, and considerable of his correspondence. The correspondence includes letters to and from Bishop Hobart of New York, pertaining principally to the earlier part of Mercer's career, and some letters written from Europe in the later years of his life.

In accordance with an arrangement which we have previously mentioned as likely to take place, the Society for the Preservation of Virginia Antiquities has come into possession of the house of Chief Justice Marshall in Richmond and will preserve it as a memorial and a museum of objects connected with his life.

The *Third Biennial Report* of the Department of Archives and History of the State of West Virginia, prepared by Virgil A. Lewis, state historian and archivist, has appeared. Embodied in the *Report* is a classified list of works relating to West Virginia, which are on the department's shelves. Accompanying the *Report* is a variety of documentary material, together with narrative and explanatory matter, bearing the title "The Soldiery of West Virginia in the French and Indian War, Lord Dunmore's War, the Revolution, the later Indian Wars, the Whiskey Insurrection, the Second War with England, the War with Mexico, and Addenda relating to West Virginians in the Civil War" (pp. 279). Many of these pages are occupied with lists of soldiers, pensioners, etc. Although most of this material has been printed elsewhere the assembling of it in such a volume is a useful labor.

A region having marked individuality is treated by Mr. Alfred Moore Waddell in *A History of New Hanover County and the Lower Cape Fear Region* (Wilmington, N. C., the author), of which volume I., now published, runs from 1723 to 1800.

The contents of the *South Carolina Historical and Genealogical Magazine* for July are for the most part continuations. Mr. Henry A. M. Smith writes a history of the Sewee barony, being the fifth of his papers on the baronies of South Carolina; J. F. Grimké's "Journal of the Campaign to the Southward, May 9 to July 14, 1778," covers the events of June; and the documentary contributions of Miss Webber and Mr. Salley are continued. This number of the *Magazine* includes also a statement of Dr. Robert Lebby concerning "The First Shot on Fort Sumter". Dr. Lebby was a practising physician on James's



Island at the time and writes from personal recollection, besides offering other evidence.

The minutes of the commissioners of the Navy Board of South Carolina, October 9, 1776, to March 23, 1780, with some other documents respecting the South Carolina navy, came somehow into the possession of the state of New York early in the nineteenth century. Efforts of South Carolina to recover them just before the Albany fire proved unavailing. They have now however been restored to the Historical Commission of South Carolina, though with some serious damage from the fire, and will before long be printed by that commission.

Mr. Peter J. Hamilton has brought together his recent studies in the early history of Mobile, made in connection with the celebration in May, 1911, of the bicentenary of the founding of the city, and has published them in a pamphlet of 104 pages with the title *The Founding of Mobile, 1702-1718* (Mobile, Commercial Printing Company). At the end of the volume is a map showing the relation of the French town to the modern city. The author states that these studies are based upon manuscript and early sources and are in large measure independent of and supplementary to his *Colonial Mobile*.

In addition to the anticipatory notice of the contents of volume XI. of the *Publications* of the Mississippi Historical Society mention may be made of the following papers: "Evolution of Wilkinson County", by J. H. Jones; "Antebellum Times in Monroe County", by E. F. Puckett; and "Beginning of a new Period in the Political History of Mississippi", by Professor G. H. Brunson.

A reprint (in English only) of the *Acts passed by the Twenty-Seventh Legislature of the State of Louisiana in extra Session at Opelousas, December, 1862, and January, 1863*, originally published at Natchitoches in 1864, has been brought out in New Orleans by J. G. Hauser.

The Texas Library and Historical Commission, constituted under act of March 19, 1909, presents now its *First Biennial Report* (Austin, 1911, pp. 44, 337). The librarian reports the acquisition of the diary of Judge Anderson Hutchinson during his captivity in Mexico, 1842-1843, of a body of letters of Albert T. Burnley, loan commissioner of the republic from 1837 to 1840, and, most important of all, of the papers of President Mirabeau B. Lamar. Good plans respecting the publication of a series entitled *Texas Archives* are reported. As a specimen, the Secret Journals of the Senate of the Congresses of the Republic of Texas (excepting the ninth), 1836-1845, are presented in a well-edited text of 337 pages.

In the July number of this journal (p. 889) mention was made of the acquisition by the University of Texas of the papers of Colonel Anthony Butler. In the issue of the *Nation* for June 15, Professor Eugene C. Barker gives a more extended account of these papers.

The State Library of Texas has come into possession of three rare volumes of Texas laws: a translation into Spanish of 116 of the general laws of 1836-1841; a translation into German of 101 laws of 1849-1850; and a translation into German of 79 laws of 1853-1854. None of these volumes was known to any of the large law libraries of the United States.

The principal paper in the July issue of the *Quarterly of the Texas State Historical Association* is "The Aguayo Expedition into Texas and Louisiana, 1719-1722" (pp. 65), by Eleanor Claire Buckley. The work represents extensive investigation into primary as well as secondary sources. Besides the author's annotations and comments, a number of valuable notes are furnished by Professor Herbert E. Bolton. In an article on "The Jumano Indians in Texas, 1650-1771", Professor Bolton in a measure clears up from recently discovered materials the obscurity of Jumano history after the middle of the seventeenth century.

Dr. Gilbert G. Benjamin's interesting *The Germans in Texas: a Study in Immigration*, noticed by us on its appearance in articles in volume VII. of *German American Annals*, is now available as a separate book (Philadelphia, Americana Germanica Press, pp. 161).

The *Ohio Archaeological and Historical Quarterly* prints in its April-July issue a history of Logan, the Mingo chief (1710-1780), from the Draper manuscripts, and a journal of the Kendal community, contributed, with a prefatory statement, by Mr. W. P. Fox. The Kendal community was a religious community that existed from 1826 to 1829 at Kendal (now a part of Massillon), Ohio. The other papers of chief importance in this issue of the *Quarterly* are: "The Ohio River", by A. B. Hulbert; "The Cincinnati Municipal Election of 1828", by Mary Baker Furness; and "Oberlin's Part in the Slavery Conflict", by W. G. Burroughs.

The April-June issue of the *Quarterly Publication of the Historical and Philosophical Society of Ohio* is entirely occupied with selections from the Torrence papers, this being the sixth group of those papers which the *Quarterly* has published. The letters date from 1812 to 1827 and are mainly to Thomas Sloo, jr., who was prominently connected with the Miami Exporting Company, the second United States branch bank of Cincinnati, and the Illinois-Michigan canal; they therefore illustrate commercial conditions in the West during the period.

In *Ohio Politics during the Civil War Period* (Columbia University Studies in History, Economics, and Public Law) Mr. G. H. Porter makes a careful study of Ohio's attitude toward national questions and the part which the state took in national affairs during the period.

In the *Indiana Quarterly Magazine of History* for June Professor Christopher B. Coleman offers some reflections on the development of state constitutions, and Mr. W. D. Waldrip writes of Newport, Indiana, as a station of the Underground Railroad.

The legislature of Illinois at its last session appropriated \$2500 for inspection of and reporting upon county and other local archives during the next biennial period, and \$5500 per annum for the work of procuring and preserving documentary historical materials. It has also appointed a commission to prepare plans for a building in Springfield in which, among other scientific and historical objects, the State Historical Library and perhaps the archives shall be cared for.

The July issue of the *Journal of the Illinois State Historical Society* is occupied in large measure with the society's annual reports, but there are also several brief articles. Mr. Charles M. Thompson contributes a short account of "The Monetary System of Nouvelle France"; Mr. J. F. Stewart a description of the Sac and Fox trail, with maps; Mr. J. O. Cunningham an account of the Danville and Fort Clark road; and Mr. Duane Mowry some material for the life of Senator James R. Doolittle.

Volume XXXVII. of the *Collections* of the Michigan Pioneer and Historical Society (Lansing, 1910, pp. 761) contains the territorial records of the period 1803-1815, from the Burton Library; letters on the fur-trade, 1833, by William Johnston; territorial papers of 1831-1836, correspondence of territorial governors, etc., chiefly from the Schoolcraft collection; and Perrault's relation of the travels and adventures of a merchant voyageur, 1783-1820. The society intends before long to begin the printing of a series of papers relating to the French Northwest, translated from the texts of Margry after collation with the latter's original papers in the Bibliothèque Nationale at Paris.

At its biennial session recently ended, the Wisconsin legislature not only increased the annual stipend of the Wisconsin Historical Society by \$5000 but made a special grant of \$162,000 for the erection of a new wing to the society's library building.

The Wisconsin History Commission has brought out *Wisconsin Women in the War between the States* (pp. xix, 190), by Miss Ethel Alice Hurn, an interesting account of soldiers' aid societies, hospital services, and the like, based on varied manuscript, pamphlet, and newspaper material.

Mr. Warren Upham, secretary of the Minnesota Historical Society, has in preparation a volume of Minnesota biography, one on Minnesota geographic names, and another relating to the history of the society.

The *Tenth Biennial Report* of the Historical Department of Iowa contains a list of the bound volumes of Iowa newspapers in possession of the department.

Miss Ethyl Edna Martin writes for the July number of the *Iowa Journal of History and Politics* an account of the expedition of Zebulon M. Pike to the sources of the Mississippi in 1805 and 1806. Pike's own account, published in 1810, has been largely drawn upon but several

other sources have been consulted. An analysis of the settlement of Woodbury County, Iowa, by Professor F. H. Garver, is a useful study of the movement of population westward of the Mississippi. "The Territorial Convention of 1837" comprises a group of documents bearing upon the convention taken for the most part from the *Iowa News*. Besides the proceedings of the convention appear the proceedings of various public meetings and some memorials presented to the convention. The *Journal* also reprints from the *Iowa News* the proceedings of a council with the Chippewa Indians held by Governor Henry Dodge of the original Territory of Wisconsin, in July, 1837.

In the July number of the *Missouri Historical Review* Mr. Frederick J. Teggart gives an account of the capture of St. Joseph, Michigan, by the Spaniards in 1781 and discusses the reasons for the expedition. Mr. Teggart's account is based upon original documents in the Pinart-Bancroft collection in the University of California, and his conclusions are at variance with some that have hitherto been advanced. In the same issue of the *Review* Dr. Jonas Viles discusses the population and extent of settlement in Missouri before 1804.

The third volume of the *Publications of the Arkansas Historical Association* is now in the press and will be distributed about the first of November. Among the chapters are: Constitutional Convention of 1836, Reminiscences of a Federal Prisoner in Arkansas, Legal Status of the Slave in Arkansas, Chester Ashley, and the History of Suffrage in Arkansas. Among the contributors are Judge Jacob Trieber, Judge U. M. Rose, and Joseph T. Robinson.

The Arkansas History Commission has appointed Mr. Dallas T. Herndon, a recent doctor of philosophy of the University of Chicago, its secretary. His work will correspond to that of the directors of the departments of archives and history in other states.

Among the announcements of McClurg is *Kansas in the Sixties*, by Samuel J. Crawford, "war governor".

Volume III. of *Constitutions and Conventions of Nebraska*, published by the State Historical Society, is now in press; the society also has in preparation an additional volume of *Collections*.

A commission created by act of the legislature of Nebraska has been marking the old Oregon Trail throughout its course in that state.

Volume V. of the *South Dakota Historical Collections* (Pierre, 1910 [1911], pp. 444) contains a full account of the "capital and capitol history" of South Dakota, reminiscences of Dakota campaigns by John Pattee, an account of early surveys, and several papers on the Sioux Indians.

*Historia Illustrada de Nuevo Mexico* (pp. 616), by Mr. B. M. Read, is published in Santa Fé, by the Compañía Impresora del Nuevo Mexicano.



The December (1910) number of the *Quarterly of the Oregon Historical Society* has but recently come to hand. With it comes the title-page for volume XI. of the *Quarterly*, "March, 1911-December, 1911". This is evidently an error for 1910. In this number appears part I. (the period of provisional government) of "The Rise and Early History of Political Parties in Oregon", a doctoral dissertation by W. C. Woodward. It is in two chapters, the first treating of the political basis as found in settlement and the second of American self-government. Part II. will treat of political organization during the period of the territorial government, and part III. of the Civil War period. The Oregon archives are used to some extent in the preparation of the work but for the most part reliance is placed on secondary sources. The *Quarterly* continues the Peter Skene Ogden journals and Professor F. G. Young's "Financial History of Oregon".

The Academy of Pacific Coast History has published the *Diary of Pedro Fages*, edited by Professor Herbert E. Bolton. The diary describes an expedition from Monterey to San Francisco Bay in 1770.

*General Stephen W. Kearny and the Conquest of California, 1846-1847* (pp. 35), by Valentine Mott Porter, vice-president of the Missouri Historical Society, has been reprinted from the *Annual Publications* of the Historical Society of Southern California. The purpose of the paper, says the author, "is to try to direct attention to General Kearny's services in California, to point out some omissions, inaccuracies, and wrong conclusions in the current histories, and, for the benefit of those who regard the winning of California as a not altogether glorious chapter in American history, to hold up before them one 'Conqueror' upon whom there is no taint of the spoiler or the charlatan". A letter from General Kearny to his wife, dated December 19, 1846, describing conditions in San Diego, is printed in full, and there are portraits of Kearny, Stockton, and Frémont.

The Philippines Library at Manila, now under the conduct of Dr. James A. Robertson, has recently acquired by purchase the famous library of Filipiniana owned by Dr. T. H. Pardo de Tavera. This makes that institution's collection of Philippine books the largest in the world.

The *Report of the Work of the Archive Branch* for the year 1909 (pp. 125), an appendix to the annual report of the Canadian Minister of Agriculture, is chiefly occupied with a list of the contents of a body of (duplicate) original despatches relating to Lower and Upper Canada, from 1771 to 1840, received from the Colonial Office in London. The Archive Branch has just issued Mr. H. P. Biggar's *The Precursors of Jacques Cartier, 1497-1534, a Collection of Documents relating to the Early History of the Dominion of Canada* (pp. xxxi, 213).

The June issue of the *Annals of the American Academy of Political and Social Science* bears the secondary title "Political and Social Progress in Latin America". The papers treat largely of matters commer-

cial although some of them are of an historical character, for instance: "The Monroe Doctrine of the Fourth Pan-American Conference", by Alejandro Alvarez, and "The Social Evolution of the Argentine Republic", by Ernesto Quesada.

As volumes XXXV. and XXXVI. of his *Documentos Inéditos ó muy Raros para la Historia de México* (Mexico, Bouret, 1911, pp. 328, 340) Señor Genaro García has published, from a unique copy of the original edition (Puebla, 1824), *La Cooperacion de México en la Independencia de Centro America*, by General Vicente Filisola, who in 1822 and 1823 commanded Iturbide's troops in Guatemala and San Salvador, and who afterward played a part in the war against Texas. The memoir, a bitter defense against detractors, is rich in important documents.

In a portion of the *Revista de la Biblioteca Nacional*, also separately published, Señor Carlos de Velasco publishes a series of biographical accounts, with portraits, of the thirty members of the Academy of History of Cuba, instituted by the president of the republic, as previously mentioned in these pages, by decree of August 20, 1910—*Los Académicos de Número* (Havana, Biblioteca Nacional, 1910, pp. 68).

Señor Fernando Ortiz has brought to light a manuscript *Historia de Santiago de Cuba*, written in 1823 by José María Callejas, lieutenant-colonel of artillery, and has printed it, first in the *Revista Bimestre Cubana* and now separately (Havana, 1911, pp. 136). The manuscript has undergone in the hands of Señor Ortiz some needful arrangement and much correction of errors which were probably clerical, and the orthography has been adapted to present usage. The work of Callejas essentially pertains to the quarter of a century ending in 1823, the history prior to 1798 being little more than a skeleton chronicle occupying less than 40 pages to about 80 devoted to the period after that date. Probably the chapter of greatest interest is that covering the administration of Sebastián Kindelán. The editor furnishes an introduction (18 pages) relative to the author and his work.

*A Study of the Question of Boundaries between the Republics of Peru and Ecuador*, a translation by H. W. Van Dyke of the work of Vicente Santamaría de Paredes, has been privately printed in Washington by Byron S. Adams.

The Argentine Ministry of Foreign Relations has published the third volume of its *Catálogo de Documentos del Archivo de Indias en Sevilla, referentes a la Historia de la República Argentina, 1778-1820* (Buenos Aires, 1911, pp. 329).

Noteworthy articles in periodicals: S. G. Morley, *The Historical Value of the Books of Chilan Balam* (American Journal of Archaeology, April-June); J. G. Rosengarten, *Moreau de Saint Mery and His French Friends in the American Philosophical Society* (Proceedings, May-June); D. D. Wallace, *Jefferson's Part in the Purchase of Louisiana* (Sewanee Re-

view, July); E. A. Cruikshank, *Harrison and Procter: the River Raisin* (Transactions of the Royal Society of Canada, third series, IV. 2); D. R. Anderson, *William B. Giles and States Rights in Virginia after the War of 1812* (South Atlantic Quarterly, July); James Ford Rhodes, *The Railroad Riots of 1877* (Scribner's, July); *id.*, *The National Republican Conventions of 1880 and 1884* (*ibid.*, September); Frederick Funston, *Philippine Experiences*, I.-IV. (*ibid.*, June-September); E. L. Bogart, *History of the State Debt of Ohio* (Journal of Political Economy, February, May).

# The American Historical Review

## SOCIAL FORCES IN AMERICAN HISTORY<sup>1</sup>

THE transformations through which the United States is passing in our own day are so profound, so far-reaching, that it is hardly an exaggeration to say that we are witnessing the birth of a new nation in America. The revolution in the social and economic structure of this country during the past two decades is comparable to what occurred when independence was declared and the Constitution was formed, or to the changes wrought by the era which began half a century ago, the era of Civil War and Reconstruction.

These changes have been long in preparation and are, in part, the result of world-wide forces of reorganization incident to the age of steam production and large-scale industry, and, in part, the result of the closing of the period of the colonization of the West. They have been prophesied, and the course of the movement partly described, by students of American development; but after all, it is with a shock that the people of the United States are coming to realize that the fundamental forces which have shaped their society up to the present are disappearing. Twenty years ago, as I have before had occasion to point out, the Superintendent of the Census declared that the frontier line, which its maps had depicted for decade after decade of the westward march of the nation, could no longer be described. To-day we must add that the age of free competition of individuals for the unpossessed resources of the nation is nearing its end. It is taking less than a generation to write the chapter which began with the disappearance of the line of the frontier—the last chapter in the history of the colonization of the United States, the conclusion to the annals of its pioneer democracy.

It is a wonderful chapter, this final rush of American energy upon the remaining wilderness. Even the bare statistics become eloquent of a new era. They no longer derive their significance from

<sup>1</sup> Annual address of the president of the American Historical Association, delivered at Indianapolis, December 28, 1910.



the exhibit of vast portions of the public domain transferred to agriculture, of wildernesses equal to European nations changed decade after decade into the farm area of the United States. It is true there was added to the farms of the nation between 1870 and 1880 a territory equal to that of France, and between 1880 and 1900 a territory equal to the European area of France, Germany, England, and Wales combined. The records for 1910 are not yet available, but whatever they reveal they will not be so full of meaning as the figures which tell of upleaping wealth and organization and concentration of industrial power in the East in the last decade. As the final provinces of the Western empire have been subdued to the purposes of civilization and have yielded their spoils, as the spheres of operation of the great industrial corporations have extended, with the extension of American settlement, production and wealth have increased beyond all precedent.

The total deposits in all national banks have more than trebled in the present decade; the money in circulation has doubled since 1890. The flood of gold makes it difficult to gauge the full meaning of the incredible increase in values, for in the decade ending with 1909 over 41,600,000 ounces of gold were mined in the United States alone. Over four million ounces have been produced every year since 1905, whereas between 1880 and 1894 no year showed a production of two million ounces. As a result of this swelling stream of gold, aided by a variety of other causes, prices have risen until their height has become one of the most marked features and influential factors in American life, producing social readjustments and contributing effectively to party revolutions.

But if we avoid those statistics which require analysis because of the changing standard of value, we still find that the decade occupies an exceptional place in American history. More coal was mined in the United States in the ten years after 1897 than in all the life of the nation before that time.<sup>2</sup> Fifty years ago we mined less than fifteen million long tons of coal. In 1907 we mined nearly 429,000,000. At the present rate it is estimated that the supply of coal would be exhausted at a date no farther in the future than the formation of the Constitution is in the past. Iron and coal are the measures of industrial power. The nation has produced three times as much iron ore in the past two decades as in all its previous history; the production of the past ten years was more than double that of the prior decade. Pig-iron production is admitted to be an excellent barometer of manufacture and of transportation. Never until 1898

<sup>2</sup> Van Hise, *Conservation of Natural Resources*, pp. 23, 24.

had this reached an annual total of ten million long tons. But in the five years beginning with 1904 it averaged over twice that. By 1907 the United States had surpassed Great Britain, Germany, and France combined in the production of pig-iron and steel together, and in the same decade a single great corporation has established its domination over the iron mines and steel manufacture of the United States. It is more than a mere accident that the United States Steel Corporation with its stocks and bonds aggregating \$1,400,000,000 was organized at the beginning of the present decade. The former wilderness about Lake Superior has, principally in the past two decades, established its position as overwhelmingly the preponderant source of iron ore, present and prospective, in the United States—a treasury from which Pittsburg has drawn wealth and extended its unparalleled industrial empire in these years. The tremendous energies thus liberated at this centre of industrial power in the United States revolutionized methods of manufacture in general, and in many indirect ways profoundly influenced the life of the nation.

Railroad statistics tell the same story of unprecedented development, the formation of a new industrial society. The number of passengers carried one mile more than doubled between 1890 and 1908; freight carried one mile has nearly trebled in the same period and has doubled in the past decade. Agricultural products tell a different story. The corn crop has only risen from about two billion bushels in 1891 to two and seven-tenths billions in 1909; wheat from six hundred and eleven million bushels in 1891 to only seven hundred and thirty-seven million in 1909, and cotton from about nine million bales in 1891 to ten and three-tenths million bales in 1909. Population has increased in the United States proper from about sixty-two and one-half millions in 1890 to seventy-five and one-half millions in 1900 and to about ninety millions in 1910.

It is clear from these statistics that the ratio of the nation's increased production of immediate wealth by the enormously increased exploitation of its remaining natural resources vastly exceeds the ratio of increase of population and still more strikingly exceeds the ratio of increase of agricultural products. Already population is pressing upon the food supply while capital consolidates in billion-dollar organizations. The "Triumphant Democracy" whose achievements the iron-master celebrated has reached a stature even more imposing than he could have foreseen; but still less did he perceive the changes in democracy itself and the conditions of its life which have accompanied this material growth.

Having colonized the Far West, having mastered its internal

resources, the nation turned at the conclusion of the nineteenth and the beginning of the twentieth century to deal with the Far East, to engage in the world-politics of the Pacific Ocean. Having brought to its logical conclusion its long continued expansion into the lands of the old Spanish empire by the successful outcome of the recent war, the United States became the mistress of the Philippines at the same time that it came into possession of the Hawaiian Islands, and the controlling influence in the Gulf of Mexico. It provided early in the present decade for connecting its Atlantic and Pacific coasts by the Isthmian Canal, and became an imperial republic with dependencies and protectorates—admittedly a new world-power, with a voice potential in the problems of Europe, Asia, and Africa.

This extension of power and undertaking of grave responsibilities in new fields, this entry into the sisterhood of world-states, was no unrelated event. It was, indeed, in some respects the logical outcome of the nation's march to the Pacific, the sequence to the era in which it was engaged in occupying the free lands and exploiting the resources of the West. When it had achieved this position among the nations of the earth, the United States found itself confronted, also, with the need of constitutional readjustment, arising from the relations of federal government and territorial acquisitions. It was obliged to reconsider questions of the rights of man and traditional American ideals of liberty and democracy, in view of the task of government of other races politically inexperienced and undeveloped.

When we turn to consider the effect upon American society and domestic policy in these two decades of transition we are met with palpable evidences of the invasion of the old pioneer democratic order. Obvious among them is the effect of unprecedented immigration to supply the mobile army of cheap labor for the centres of industrial life. In the past ten years, beginning with 1900, over eight million immigrants have arrived. The newcomers of the eight years since 1900 would, according to a writer in 1908, "repopulate all the five older New England States as they stand to-day; or, if properly disseminated over the newer parts of the country they would serve to populate no less than nineteen states of the union as they stand". In 1907 "there were one and one-quarter million arrivals. This number would entirely populate both New Hampshire and Maine, two of our oldest states." "The arrivals of this one year would found a state with more inhabitants than any one of twenty-one of our other existing commonwealths which could be named." Not only has the addition to the population from

Europe been thus extraordinary, it has come in increasing measure from southern and eastern Europe. For the year 1907, Professor Ripley,<sup>3</sup> whom I am quoting, has redistributed the incomers on the basis of physical type and finds that one-quarter of them were of the Mediterranean race, one-quarter of the Slavic race, one-eighth Jewish, and only one-sixth of the Alpine, and one-sixth of the Teutonic. In 1882 Germans had come to the amount of 250,000; in 1907 they were replaced by 330,000 South Italians. Thus it is evident that the ethnic elements of the United States have undergone startling changes; and instead of spreading over the nation these immigrants have concentrated especially in the cities and great industrial centres in the past decade. The composition of the labor class and its relation to wages and to the native American employer have been deeply influenced thereby; the element of sympathy with labor has been unfavorably affected by the pressure of great numbers of immigrants of alien nationality and of lower standards of life.

The familiar facts of the massing of population in the cities and contemporaneous increase of urban power, and of the massing of capital and production in fewer and vastly greater economic units, especially attest the revolution. "It is a proposition too plain to require elucidation", wrote Richard Rush, Secretary of the Treasury, in his report of 1827, "that the creation of capital is retarded rather than accelerated by the diffusion of a thin population over a great surface of soil." Thirty years earlier Albert Gallatin declared in Congress that "if the cause of the happiness of this country were examined into, it would be found to arise as much from the great plenty of land in proportion to the inhabitants which their citizens enjoyed as from the wisdom of their political institutions." Possibly both of these Pennsylvania financiers were right under the conditions of the time; but it is at least significant that capital and labor entered upon a new era as the end of the free lands approached. A contemporary of Gallatin in Congress had replied to the argument that cheap lands would depopulate the Atlantic coast by saying that if a law were framed to prevent ready access to western lands it would be tantamount to saying that there is some class which must remain "and by law be obliged to serve the others for such wages as they pleased to give". The passage of the arable public domain into private possession has raised this question in a new form and has brought forth new answers. This is peculiarly the era when competitive individualism in the midst of vast unappropriated opportunities changed into monopoly, by huge aggregations of capital, of

<sup>3</sup> *Atlantic Monthly*, December, 1908, CII, 745.



the fundamental industrial processes as the free lands disappeared. All the tendencies of the large-scale production of the twentieth century, all of the energies of the age of steam, found in America exceptional freedom of action and were offered regions of activity equal to the states of all western Europe. Here they reached their highest development.

The decade following 1907 is marked by the work of Mr. Harriman and his rivals in building up the various railroads into a few great groups, a process that had gone so far that before his death Mr. Harriman was ambitious to concentrate them all under his single control. High finance under the leadership of Mr. Morgan has steadily achieved the consolidation of the greater industries into trusts or combinations and has effected a community of interests between them and a few dominant banking organizations, with allied insurance companies and trust companies. In New York City have been centred as never before the banking reserves of the nation, and here by the financial management of capital and speculative promotion there has grown up a unified control over the nation's industrial life. Colossal private fortunes have arisen. No longer is the per capita wealth of the nation a real index to the prosperity of the average man. Labor on the other hand has shown an increasing self-consciousness, is combining and increasing its demands. In a word, the old pioneer individualism is disappearing, while the forces of social combination are manifesting themselves as never before. The self-made man has become, in popular speech, the coal baron, the steel king, the oil king, the cattle king, the railroad magnate, the master of high finance, the monarch of trusts. The world has never before seen such huge fortunes exercising combined control over the economic life of a people, and such luxury as has come out of the individualistic pioneer democracy of America in the course of its competitive evolution.

At the same time the masters of industry, who control interests which represent billions of dollars, do not admit that they have broken with pioneer ideals. They regard themselves as pioneers under changed conditions, carrying on the old work of developing the natural resources of the nation, compelled by the constructive fever in their veins, even in ill-health and old age and after the accumulation of wealth beyond their power to enjoy, to seek new avenues of action and of power, to chop new clearings, to find new trails, to expand the horizon of the nation's activity, and to extend the scope of their dominion. "This country", said the late Mr. Harriman in an interview a few years ago, "has been developed by

a wonderful people, flush with enthusiasm, imagination and speculative bent. . . . They have been magnificent pioneers. They saw into the future and adapted their work to the possibilities. . . . Stifle that enthusiasm, deaden that imagination and prohibit that speculation by restrictive and cramping conservative law, and you tend to produce a moribund and conservative people and country." This is an appeal to the historic ideals of Americans who viewed the republic as the guardian of individual freedom to compete for the control of the natural resources of the nation.

On the other hand, we have the voice of the insurgent West, recently given utterance in the New Nationalism of ex-President Roosevelt, demanding increase of federal authority to curb the special interests, the powerful industrial organizations, and the monopolies, for the sake of the conservation of our natural resources and the preservation of American democracy.

The past decade has witnessed an extraordinary federal activity in limiting individual and corporate freedom for the benefit of society. To that decade belong the Conservation Congresses and the effective organization of the Forest Service, and the Reclamation Service. Taken together these developments alone would mark a new era, for over three hundred million acres are, as a result of this policy, reserved from entry and sale, an area more than equal to that of all the states which established the Constitution, if we exclude their western claims; and these reserved lands are held for a more beneficial use of their forests, minerals, arid tracts, and water rights, by the nation as a whole. Another example is the extension of the activity of the Department of Agriculture, which seeks the remotest regions of the earth for crops suitable to the areas reclaimed by the government, maps and analyzes the soils, fosters the improvement of seeds and animals, tells the farmer when and how and what to plant, and makes war upon diseases of plants and animals and insect pests. The recent legislation for pure food and meat inspection, and the whole mass of regulative law under the Interstate Commerce Clause of the Constitution, further illustrate the same tendency.

Two ideals were fundamental in traditional American thought, ideals that developed in the pioneer era. One was the ideal of individual freedom to compete unrestrictedly for the resources of a continent—the squatter ideal. The other was the ideal of a democracy—"government of the people, by the people and for the people". The operation of these ideals took place contemporaneously with the passing into private possession of the free public domain and the

natural resources of the United States. But American democracy was based on free lands; these were the very conditions that shaped its growth and its fundamental traits. Thus time has revealed that these two ideals of pioneer democracy had elements of mutual hostility and contained the seeds of its dissolution. The present finds itself engaged in the task of readjusting its old ideals to new conditions and is turning increasingly to government to safeguard its traditional democracy. It is not surprising that socialism shows noteworthy gains as elections continue; that parties are forming on new lines; that the demand for primary elections, for popular choice of senators, initiative, referendum, and recall, is spreading, and that the regions once the centre of pioneer democracy exhibit these tendencies in the most marked degree. They are efforts to find substitutes for that former safeguard of democracy, the disappearing free lands. They are the sequence to the extinction of the frontier.

It is necessary next to notice that in the midst of all this national energy, and contemporaneous with the tendency to turn to the national government for protection to democracy, there is clear evidence of the persistence and the development of sectionalism. Whether we observe the grouping of votes in Congress and in general elections, or the organization and utterances of business leaders, or the association of scholars, churches, or other representatives of the things of the spirit, we find that American life is not only increasing in its national intensity but that it is integrating by sections. In part this is due to the factor of great spaces which make sectional rather than national organization the line of least resistance; but, in part, it is also the expression of the separate economic, political, and social interests and the separate spiritual life of the various geographic provinces or sections. The votes on the tariff, and in general the location of the strongholds of the Progressive Republican movement, illustrate this fact. The difficulty of adjusting railway rates to the diverse interests of different sections is another example. Whether the South should be supplied with salt from Kansas or from Michigan, whether Chicago and its tributary prairie areas should be supplied with lumber from the far Northwest, from Louisiana, or from some other area, depends upon the settlement of rates and involves adjudication by federal authorities, who are forced to recognize sectional interests. Without attempting to enter upon a more extensive discussion of sectionalism, I desire simply to point out that there are evidences that now, as formerly, the separate geographical interests have their leaders and spokesmen, that much Congressional legislation is determined by the contests, triumphs, or

compromises between the rival sections, and that the real federal relations of the United States seem likely to be shaped by the interplay of sectional with national forces rather than by the relation of state and nation. As time goes on and the nation adjusts itself more durably to the conditions of the differing geographic sections which make it up, they are coming to a new self-consciousness and a revived self-assertion. Our national character is a composite of these sections.

Obviously in attempting to indicate even a portion of the significant features of our recent history we have been obliged to take note of a complex of forces. The times are so close at hand that the relations between events and tendencies force themselves upon our attention. We must deal with the connections of geography, industrial growth, politics, and government. With these we must take into consideration the changing social composition, the inherited beliefs and habitual attitude of the masses of the people, the psychology of the nation and of the separate sections, as well as of the leaders. We must see how these leaders are shaped partly by their time and section, and how they are in part original, creative, by virtue of their own genius and initiative. We cannot neglect the moral tendencies and the ideals. All are related parts of the same subject and can no more be properly understood in isolation than the movement as a whole can be understood by neglecting some of these important factors, or by the use of a single method of investigation. Whatever be the truth regarding European history, American history is chiefly concerned with social forces, shaping and reshaping under the conditions of a nation changing as it adjusts to its environment. And this environment progressively reveals new aspects of itself, exerts new influences, and calls out new social organs and functions.

I have undertaken this rapid survey of recent history for two purposes. First, because it has seemed fitting to emphasize the significance of American development since the passing of the frontier, and, second, because in the observation of present conditions we may find assistance in our study of the past.

It is a familiar doctrine that each age studies its history anew and with interests determined by the spirit of the time. Each age finds it necessary to reconsider at least some portions of the past, from points of view furnished by new conditions which reveal the influence and significance of forces not adequately known by the historians of the previous generation. Unquestionably each investigator and writer is influenced by the times in which he lives and



while this fact exposes the historian to a bias, at the same time it affords him new instruments and new insight for dealing with his subject.

If recent history, then, gives new meaning to past events, if it has to deal with the rise into a commanding position of forces, the origin and growth of which may have been inadequately described or even overlooked by historians of the previous generation, it is important to study the present and the recent past, not only for themselves but also as the source of new hypotheses, new lines of inquiry, new criteria of the perspective of the remoter past. And, moreover, a just public opinion and a statesmanlike treatment of present problems demand that they be seen in their historical relations in order that history may hold the lamp for conservative reform.

Seen from the vantage-ground of present developments what new light falls upon past events! When we consider what the Mississippi Valley has come to be in American life, and when we consider what it is yet to be, the young Washington, crossing the snows of the wilderness to summon the French to evacuate the portals of the great valley, becomes the herald of an empire. When we recall the titanic industrial power that has centred at Pittsburg, Braddock's advance to the forks of the Ohio takes on new meaning. "Carving a cross on the wilderness rim", even in defeat, he opened a road to what is now the centre of the world's industrial energy. The modifications which England proposed in 1794 to John Jay in the northwestern boundary of the United States from the Lake of the Woods to the Mississippi, seemed, doubtless, to him significant chiefly as a matter of principle and as a question of the retention or loss of beaver grounds. The historians hardly notice the proposals. But they involved, in fact, the ownership of the richest and most extensive deposits of iron ore in America, the all-important source of a fundamental industry of the United States, the occasion for the rise of some of the most influential forces of our time.

What continuity and meaning are furnished by the outcome in present times of the movements of minor political parties and reform agitations! To the historian they have often seemed to be mere curious side eddies, vexatious distractions to the course of his literary craft as it navigated the stream of historical tendency. And yet, by the revelation of the present, what seemed to be side eddies have not seldom proven to be the concealed entrances to the main current, and the course which seemed the central one has led to blind channels and stagnant waters, important in their day, but cut off like ox-bow lakes from the mighty river of historical progress by

the more permanent and compelling forces of the neglected currents.

We may trace the contest between the capitalist and the democratic pioneer from the earliest colonial days. It is influential in colonial parties. It is seen in the vehement protests of Kentucky frontiersmen in petition after petition to the Congress of the Confederation against the "nabobs" and men of wealth who took out titles to the pioneers' farms while they themselves were too busy defending those farms from the Indians to perfect their claims. It is seen in the attitude of the Ohio Valley in its backwoods days before the rise of the Whig party, as when in 1811 Henry Clay denounced the Bank of the United States as a corporation which thrived on special privileges—"a splendid association of favored individuals taken from the mass of society, and invested with exemptions and surrounded by immunities and privileges". Benton voiced the same contest twenty years later when he denounced the bank as

a company of private individuals, many of them foreigners, and the mass of them residing in a remote and narrow corner of the Union, unconnected by any sympathy with the fertile regions of the Great Valley in which the natural power of this Union, the power of numbers, will be found to reside long before the renewed term of the second charter would expire.

"And where", he asked, "would all this power and money centre? In the great cities of the Northeast, which have been for forty years and that by force of federal legislation, the lion's den of Southern and Western money—that den into which all the tracks point inward; from which the returning track of a solitary dollar has never yet been seen." Declaring, in words that have a very modern sound, that the bank tended to multiply nabobs and paupers, and that "a great moneyed power is favorable to great capitalists, for it is the principle of capital to favor capital", he appealed to the fact of the country's extent and its sectional divergences against the nationalizing of capital.

What a condition for a confederacy of states! What grounds for alarm and terrible apprehension when in a confederacy of such vast extent, so many rival commercial cities, so much sectional jealousy, such violent political parties, such fierce contests for power, there should be but one moneyed tribunal before which all the rival and contending elements must appear.

Even more vehement were the words of Jackson in 1837. "It is now plain", he wrote, "that the war is to be carried on by the monied aristocracy of the few against the democracy of numbers; the [prosperous] to make the honest laborers hewers of wood and drawers of water through the credit and paper system."

Van Buren's administration is usually passed hastily over with hardly more than mention of his Independent Treasury plan, and with particular consideration of the slavery discussions. But some of the most important movements in American social and political history began in these years of Jackson and Van Buren. Read the demands of the obscure labor papers and the reports of labor's open-air meetings anew, and you shall find in the utterances of so-called labor visionaries and the locofoco champions of "equal rights for all and special privileges for none", like Evans and Jacques, Byrdsall and Leggett, the finger points to the currents that now make the main channel of our history; you shall find in them some of the important planks of the platforms of the triumphant parties of our own day. As Professor Commons has shown by his papers and the documents which he has published on labor history, an idealistic but widespread and influential humanitarian movement, strikingly similar to that of the present, arose in the years between 1830 and 1850, dealing with social forces in American life, animated by a desire to apply the public lands to social amelioration, eager to find new forms of democratic development. But the flood of the slavery struggle swept all of these movements into its mighty inundation for the time. After the war, other influences delayed the revival of the movement. The railroads opened the vast prairies after 1850 and made it easy to reach them; and decade after decade new sections were reduced to the purposes of civilization and to the advantages of the common man as well as the promotion of great individual fortunes. The nation centred its interests in the development of the West. It is only in our own day that this humanitarian democratic wave has reached the level of those earlier years. But in the meantime there are clear evidences of the persistence of the forces, even though under strange guise. Read the platforms of the Greenback-Labor, the Granger, and the Populist parties, and you will find in those platforms, discredited and reprobated by the major parties of the time, the basic proposals of the Democratic party after its revolution under the leadership of Mr. Bryan, and of the Republican party after its revolution by Mr. Roosevelt. The Insurgent movement is so clearly related to the areas and elements that gave strength to this progressive assertion of old democratic ideals with new weapons, that it must be regarded as the organized refusal of these persistent tendencies to be checked by the advocates of more moderate measures.

I have dealt with these fragments of party history, not, of course, with the purpose of expressing any present judgment upon them, but

to emphasize and give concreteness to the fact that there is disclosed by present events a new significance to these contests of radical democracy and conservative interests; that they are rather a continuing expression of deep-seated forces than fragmentary and sporadic curios for the historical museum.

If we should survey the history of our lands from a similar point of view, considering the relations of legislation and administration of the public domain to the structure of American democracy, it would yield a return far beyond that offered by the formal treatment of the subject in most of our histories. We should find in the squatter doctrines and practices, the seizure of the best soils, the taking of public timber on the theory of a right to it by the labor expended on it, fruitful material for understanding the atmosphere and ideals under which the great corporations developed the West. Men like Senator Benton and Delegate Sibley in successive generations defended the trespasses of the pioneer and the lumberman upon the public forest lands, and denounced the paternal government that "harassed" these men, who were engaged in what we should call stealing government timber. It is evident that at some time between the middle of the nineteenth century and the present time, when we impose jail sentences upon Congressmen caught in such violations of the land laws, a change came over the American conscience and the civic ideals were modified. That our great industrial enterprises developed in the midst of these changing ideals is important to recall when we write the history of their activity.

We should find also that we cannot understand the land question without seeing its relations to the struggle of sections and classes bidding against each other and finding in the public domain a most important topic of political bargaining. We should find, too, that the settlement of unlike geographic areas in the course of the nation's progress resulted in changes in the effect of the land laws, that a system intended for the humid prairies was ill-adjusted to the arid lands and coal fields and to the forests in the days of large-scale exploitation by corporations commanding great capital. Thus changing geographic factors as well as the changing character of the forces which occupied the public domain must be considered, if we would understand the bearing of legislation and policy in this field. It is fortunate that suggestive studies of democracy and the land policy have already begun to appear.

The whole subject of American agriculture viewed in relation to the economic, political, and social life of the nation has important contributions to make. If for example we study the maps showing



the transition of the wheat belt from the East to the West, as the virgin soils were conquered and made new bases for destructive competition with the older wheat states, we shall see how deeply they affected not only land values, railroad building, the movement of population, and the supply of cheap food, but also how the regions once devoted to single cropping of wheat were forced to turn to varied and intensive agriculture and to diversified industry, and we shall see also how these transformations affected party politics and even the ideals of the Americans of the regions thus changed. We shall find in the over-production of wheat in the provinces thus rapidly colonized, and in the over-production of silver in the mountain provinces which were contemporaneously exploited, important explanations of the peculiar form which American politics took in the period when Mr. Bryan mastered the Democratic party, just as we shall find in the opening of the new gold fields in the years immediately following, and in the passing of the era of almost free virgin wheat soils, explanations of the more recent period when high prices are giving new energy and aggressiveness to the demands of American democracy.

Enough has been said, it may be assumed, to make clear the point which I am trying to elucidate, namely that a comprehension of the United States of to-day, an understanding of the rise and progress of the forces which have made it what it was, demands that we should rework our history from the new points of view afforded by the present. If this is done, it will be seen that the progress of the struggle between North and South over slavery and the freed negro, which held the principal place in American interest in the two decades after 1850, was, after all, only one of the interests of the time. The pages of the Congressional debates, the contemporary newspapers, the public documents of those twenty years, remain a rich mine for those who will seek therein the sources of movements dominant in the present day.

The final consideration to which I ask your attention in this discussion of social forces in American life, is with reference to the mode of investigating them and the bearing of these investigations upon the relations and the goal of history. It has become a precedent, fairly well established by the distinguished scholars who have filled the office which I am about to lay down, to state a position with reference to the relations of history and its sister-studies, and even to raise the question of the attitude of the historian toward the laws of thermodynamics and to seek to find the key of historical development or of historical degradation. It is not given to all to bend the bow of Ulysses. I shall attempt a lesser task.

We may take some lessons from the scientist. Like the historian the scientist has learned that many of his fundamental assumptions are imperfect or false. He has enriched knowledge especially in recent years by attacking the no-man's lands left unexplored by the too sharp delimitation of spheres of activity. These new conquests have been especially achieved by the combination of old sciences. Physical chemistry, electro-chemistry, geo-physics, astro-physics, and a variety of other scientific unions have led to audacious hypotheses, veritable flashes of vision, which open new regions of activity for a generation of investigators. Moreover they have promoted such investigations by furnishing new instruments of research. Now in some respects this is an analogy between geology and history. The new geologist aims to explain the inorganic earth dynamically in terms of natural law, using chemistry, physics, mathematics, and even botany and zoology so far as they relate to paleontology. He does not insist that the relative importance of physical or chemical factors shall be determined before he applies the methods and data of these sciences to his problem. Indeed, he has learned that a geological area is too complex a thing to be reduced to a single explanation. He has abandoned the single hypothesis for the multiple hypothesis. He creates a whole family of possible explanations of a given problem and thus avoids the warping influence of partiality for a simple theory.

Have we not here an illustration of what is possible and necessary for the historian? Is it not well, before attempting to decide whether history requires an economic interpretation or a psychological, or any other ultimate interpretation, to recognize that the factors in human society are varied and complex; that the political historian handling his subject in isolation is certain to miss fundamental facts and relations in his treatment of a given age or nation; that the economic historian is exposed to the same danger; and so of all of the other special historians?

Those who insist that history is simply the effort to tell the thing exactly as it was, to state the facts, are confronted with the difficulty that the fact which they would represent is not planted on the solid ground of fixed conditions; it is in the midst and is itself a part of the changing currents, the interacting influences of the time, deriving its significance as a fact from its relations to the deeper-seated movements of the age, movements so gradual that often only the passing years can reveal the truth about the fact and its right to a place on the historian's page.

The economic historian is in danger of making his analysis and

his statement of a law on the basis of present conditions and then passing to history for justificatory appendixes to his conclusions. An American economist of high rank has recently expressed his conception of "the full relation of economic theory, statistics, and history" in these words:

A principle is formulated by *a priori* reasoning concerning facts of common experience; it is then tested by statistics and promoted to the rank of a known and acknowledged truth; illustrations of its action are then found in narrative history and, on the other hand, the economic law becomes the interpreter of records that would otherwise be confusing and comparatively valueless; the law itself derives its final confirmation from the illustrations of its working which the records afford; but what is at least of equal importance is the parallel fact that the law affords the decisive test of the correctness of those assertions concerning the causes and the effects of past events which it is second nature to make and which historians almost invariably do make in connection with their narrations.<sup>4</sup>

There is much in this statement by which the historian may profit, but he may doubt also whether the past should serve merely as the "illustration" by which to confirm the law deduced from common experience by *a priori* reasoning tested by statistics. In fact the pathway of history is strewn with the wrecks of the "known and acknowledged truths" of economic law, due not only to defective analysis and imperfect statistics, but also to the lack of critical historical methods, to insufficient historical-mindedness on the part of the economist, to failure to give due attention to the relativity and transiency of the conditions from which his laws were deduced.

But the point on which I would lay stress is this. The economist, the political scientist, the psychologist, the sociologist, the geographer, the students of literature, of art, of religion—all the allied laborers in the study of society—have contributions to make to the equipment of the historian. These contributions are partly of material, partly of tools, partly of new points of view, new hypotheses, new suggestions of relations, causes, and emphasis. Each of these special students is in some danger of bias by his particular point of view, by his exposure to see simply the thing in which he is primarily interested, and also by his effort to deduce the universal laws of his separate science. The historian, on the other hand, is exposed to the danger of dealing with the complex and interacting social forces of a period or of a country, from some single point of view to which his special training or interest inclines him. If the truth is to be made known, the historian must so far familiarize

<sup>4</sup> Professor J. B. Clark, in Commons, ed., *Documentary History of American Industrial Society*, I. 43-44.

himself with the work, and equip himself with the training of his sister-subjects that he can at least avail himself of their results and in some reasonable degree master the essential tools of their trade. And the followers of the sister-studies must likewise familiarize themselves and their students with the work and the methods of the historians, and co-operate in the difficult task.

It is necessary that the American historian shall aim at this equipment, not so much that he may possess the key to history or satisfy himself in regard to its ultimate laws. At present a different duty is before him. He must see in American society with its vast spaces, its sections equal to European nations, its geographic influences, its brief period of development, its variety of nationalities and races, its extraordinary industrial growth under the conditions of freedom, its institutions, culture, ideals, social psychology, and even its religions, forming and changing almost under his eyes, one of the richest fields ever offered for the preliminary recognition and study of the forces that operate and interplay in the making of society.

FREDERICK J. TURNER.



## THE ROMAN LAW AND THE GERMAN PEASANT<sup>1</sup>

ONE of the most curious and interesting facts in legal history is the introduction or "Reception" of the Roman law into Germany in the course of the fifteenth, sixteenth, and seventeenth centuries.<sup>2</sup> Students of the new law began to find places as town-clerks or as councillors of princes, and, as such, eventually had opportunities to apply their legal knowledge in a practical way. Professors of law were frequently asked to act as arbitrators, and more important cases were often taken for advice or decision to the law faculties of the universities. The invention of printing made easy the multiplication of the works of the Italian commentators, and of popular handbooks, written by Germans, but based more or less on the medieval feudalized Roman law which was being actually applied and discussed in Italy.<sup>3</sup> The Reception of the Roman Law was greatly furthered by the establishment of the *Reichskammergericht* in 1495. Eight at least of its sixteen judges were to be men "learned in the (Roman) law". Many causes brought it about that this imperial court inclined to judge according to Roman rather than German laws. In the sixteenth century, partly under the influence of this imperial court, similar, more or less Romanizing, supreme courts (*Hofgerichte*, *Kammergerichte*, *Kanzleien*) were created in many of the German territories. Roman legal ideas gradually filtered down from the higher to the lower courts, or were incorporated to a greater or less degree in the numerous codifications of law made by princes and cities in the sixteenth and seventeenth centuries.

<sup>1</sup> A summary of this article was read at the meeting of the American Historical Association in New York in December, 1909.

<sup>2</sup> For brief text-book accounts of the Reception, with bibliographies, cf. B. Windscheid, *Lehrbuch des Pandektenrechts* (ninth ed., Frankfurt, 1906), I. 1-8; H. Brunner, *Grundzüge der deutschen Rechtsgeschichte* (third ed., Leipzig, 1908), pp. 244-252; R. Schröder, *Lehrbuch der Deutschen Rechtsgeschichte* (fifth ed., Leipzig, 1907), pp. 805-814. The best critical examination of the older writers and theories is by Georg von Below, *Die Ursachen der Rezeption des Römischen Rechts in Deutschland* (Munich, 1905). Cf. also Stölzel's review of v. Below in the *Kritische Vierteljahrsschrift für Gesetzgebung und Rechtswissenschaft* (1907), XLVII. 1-49.

<sup>3</sup> Cf. R. Stintzing, *Geschichte der populären Literatur des römisch-kanonischen Rechts in Deutschland* (Leipzig, 1867), one of the most valuable works on the Reception, quoted hereafter as Stintzing, *Pop. Lit.*

What was the effect of this Reception of the Roman Law upon the German peasant in the time of Luther? In regard to this I venture to suggest that there has grown up a kind of legend. This legend, in a simple form which has been read by thousands of students in America, runs as follows: "The Roman civil law had indeed been brought in by the ecclesiastics, and the lords favored it because it tended to regard serfs as slaves. The serfs naturally hated it because it hardened their lot. There was no good in appealing to it. It was one of their grievances. So the peasants of each place must fight it out with their own lords. They must rebel or submit."<sup>4</sup> Similar ideas are found very generally accepted by the most noted writers. Professor Maitland wrote: "There seems to be plentiful evidence that the learned *doctores juris* who counselled the German princes and obtained seats in the courts were cordially detested by the multitude. In modern times they often have to bear much blame for that terrible revolt which we know as the Peasants' War."<sup>5</sup> And Professor Vinogradoff says: "We find the *Mirror of Actions* (*Klagspiegel*) trying to fit German class distinctions into the social classification of Rome in the same manner as this was done by Bracton. It translates fluently the Latin *servus* by *Eigen Mann*, that is, by 'serf'.<sup>6</sup> "The 'reception' appears . . . mainly as a movement of the upper classes and of the political authorities connected with them. It encountered a good deal of opposition in the lower orders. Jurists were regarded as bad Christians (*Die Juristen sind böse Christen*). Every now and then one or the other among them was exposed to contumelious treatment, as, for example, two Constance doctors, whom a court of Schöffen in Thurgau put to flight, because it did not want to hear about Bartele and Baldele (Bartolus and Baldus), and was resolved to uphold its ancient customs. The revolutionary peasantry in 1525 declared in a fictitious document, nick-named 'The Reformation of the Emperor Frederick III.', 'that all doctors of laws should be abolished, and that justice should be administered according to the law of Moses, because it is not good for men to get better law than that proclaimed by God'.<sup>7</sup>

These same views, that the Reception injured the peasantry and

<sup>4</sup> F. Seebohm, *Era of the Protestant Revolution* (New York, 1896), p. 33.

<sup>5</sup> *English Law and the Renaissance* (Rede Lecture for 1901, Cambridge), p. 23.

<sup>6</sup> *Roman Law in Mediaeval Europe* (New York, 1909), p. 119.

<sup>7</sup> *Ibid.*, p. 129; but see note 56, below. Other recent statements in English of the depressing effect of the Roman law upon the peasants are by A. F. Pollard, in *Cambridge Modern History*, II. 176; by J. S. Schapiro, *Social Reform and the Reformation* (*Columbia Studies in History*, etc., 1909, XXXIV., no. 2), pp. 40-53, 61; and in a more extreme form by E. Belfort Bax, *German Society at the Close of the Middle Ages* (London, 1894), pp. 219-228.

helped to cause the Peasant Revolt of 1525, are expressed with varying emphasis by many German authorities—by Protestants<sup>8</sup> and Roman Catholics,<sup>9</sup> by writers on peasant conditions,<sup>10</sup> by historians of the law,<sup>11</sup> and by the philosophers of history.<sup>12</sup>

For the sake of clearness these ideas in regard to the Roman law and the German peasant which have been indicated above by quotation or reference, and which I have ventured to call a legend, may be briefly stated under three heads: (a) The jurists of the Reformation period did not understand or have any respect for German customary and local law. They recklessly applied Roman legal conceptions to German institutions, and so treated some of the peasants as Roman slaves. (b) Roman law was hated by the peasants because it hardened their lot. They made a "popular opposition" to it as a "foreign" law. (c) It was a grievance of the peasants and one of the direct causes of the Peasant Revolt of 1525.

To determine whether these commonly accepted ideas are true or legendary it is necessary to consider how far they are supported by contemporary sixteenth-century evidence, and how far they may be traced as a legend which has arisen in later times.

The most eminent German jurist of the sixteenth century is Ulrich Zasius (1461-1535).<sup>13</sup> He is cited as a jurist who ignored or despised German law and misapplied Roman law to German conditions. After studying at Tübingen, Zasius became a town-clerk at Freiburg in the Breisgau, a doctor of laws in 1501, and two years later a professor of Roman law in the university. With his academic position he also retained his position as town-clerk, and

<sup>8</sup> F. v. Bezold, *Geschichte der Deutschen Reformation* (Berlin, 1890, Oncken series), pp. 30-31, 44 seq., 452; *Kultur der Gegenwart* (1908), Theil II., Abth. V. i., p. 57; G. Egelhaaf, *Deutsche Geschichte* (Stuttgart, 1889), I. 544 seq.

<sup>9</sup> J. Janssen, *Geschichte des Deutschen Volkes seit dem Ausgang des Mittelalters* (ninth ed., Freiburg, 1883), I. 473-503, especially 486-494; II. 431 seq.

<sup>10</sup> W. Zimmermann, *Geschichte des Grossen Bauernkrieges* (first ed., Stuttgart, 1842), I. 314-315.

<sup>11</sup> O. Stobbe, *Geschichte der Deutschen Rechtsquellen* (Leipzig, 1860-1864), II. 49-56; Stintzing, *Pop. Lit.*, pp. xxiii seq.; Jacob Grimm, *Deutsche Rechtsalterthümer* (fourth ed., Leipzig, 1899), p. xviii; Theodor Knapp, *Gesammelte Beiträge zur Rechts- und Wirtschaftsgeschichte* (Tübingen, 1902), p. 380.

<sup>12</sup> K. Lamprecht, *Deutsche Geschichte* (third ed., Freiburg, 1904), V. i. 115-116.

<sup>13</sup> The classic work on Zasius is still that of Stintzing (*Ulrich Zasius*, Basel, 1857), republished more briefly in his *Geschichte der Deutschen Rechtswissenschaft* (1880), I. 155 seq., and in an article in the *Allgemeine Deutsche Biographie*. For more recent literature see R. Schmidt, *Zasius und seine Stellung in der Rechtswissenschaft* (Rektoratsrede, Leipzig, 1904), pp. 48-50. Zasius's works were collected and edited by his son Johann Ulrich and his pupil Joachim Mynsinger: *Opera Omnia* (Lugduni, apud Sebastianum Gryphium, 1550, in 6 vols. fol.). It is from a copy of the reprint of 1590 (Frankfort), in the library of the Harvard Law School, that the citations below are made.

by practice became perfectly familiar with the town laws and customs. He made his legal influence felt by long years of university lecturing, by numerous writings, and in legislation by his assistance in drawing up a code for the town of Freiburg.

In the Freiburg code the Roman influence is indeed considerable; Zasius himself says that it was drawn up with his own aid and was in large part in conformity with Roman law.<sup>14</sup> This was quite natural, for it dealt largely with procedure, contracts, mortgages, and inheritances, subjects which had reached a much fuller development in the commercial society of Rome than in the less advanced towns of Germany. Still, the city fathers, in entrusting Zasius with this codification, evidently had no fear that he would "utterly disregard the local German laws and customs in his endeavor to apply the comprehensive principles of Roman jurisprudence to German conditions".<sup>15</sup> Nor did he do so. He attempted to co-ordinate and harmonize German and Roman principles. He even modified Roman principles to make them accord better with existing German institutions. He frequently refers to old German customs, quotes them, or corrects mistakes in them. He uses pure German legal phraseology with the exception of a few common Latin words like "testament", "contract", etc., which were already in common use and generally understood. In short, as Stintzing has rightly pointed out, the whole work bears the stamp of a jurist, but of one who is familiar with the existing conditions of life and who is ready to comply with them rather than anxious to force them to fit his own theories.<sup>16</sup>

The Freiburg code is significant of Zasius's practical knowledge of actual life and his respect for the customary law of a town. But as it deals with commercial rather than agricultural subjects, it tells us nothing of his attitude toward the peasantry or his influence upon them. This must be sought in his writings and lecture notes, in which there are several significant passages.

In a response "on certain unclassifiable things in German law",<sup>17</sup> Zasius speaks of the *proprii homines*—the unfree peasants.<sup>18</sup>

<sup>14</sup> "... novis legibus municipalibus, jure communi magna ex parte conformibus, ope nostra, superiore anno ita instruxit" (*sc. Civitas Friburgum*). *Opera*, I. 118, no. 12.

<sup>15</sup> Schapiro, p. 45.

<sup>16</sup> Stintzing, *Zasius*, p. 159.

<sup>17</sup> *Responsa Singularia*, lib. II., cap. VII. (*Opera*, V. 36): "De anonymis quibusdam in jure nostro. . . Sic servi anonymi in nostra Germania homines proprii dicti, nec adscriptitii, nec coloni, nec capitecensi, nec statu liberi, nec liberti sunt, de omnium tamen natura aliquid participant. Iestas igitur anonymas dispositiones recipi necesse est."

<sup>18</sup> *Proprii homines* is the regular Latin equivalent of *Eigenleute*, *Eigenmenschen*, *Leibeigene*, *Halseigene*, etc.; these German words are used in sixteenth-



He names various Roman social classes, but is perfectly aware that none of the terms is properly applicable to the German unfree peasant. The German peasant is "anonymous" as far as classical Roman law is concerned.

Zasius was also perfectly aware of the variety and complexity of the German agrarian conditions which he had before his eyes daily in the fields about Freiburg. He many times uses such phrases as "hodie proprii homines in varia conditione", "in multiplici differentia", "pacta curialia mirifice variantia", etc. It was a subject on which he had burnt some midnight oil and on which he wrote a very interesting response.<sup>19</sup>

After discussing at length, as a student of classical Roman law, the text in the Digest of Justinian on the dues of the Roman freedman, he comes to the practical question, "How much of all this is applicable to men who in our own day might resemble slaves or freedmen?" His reply is that the German unfree peasants are like slaves in a certain few respects but are more like freedmen; that as Tacitus pointed out and as the evidence shows, there never have been real slaves in Germany. For the German *proprii homines*, though marked with some characteristics of slavery, nevertheless possess property of their own, live in houses of their own, and are not reckoned as a part of the lord's household.<sup>20</sup> They can inherit

century documents in south and west Germany as the ordinary designations for a large part of the peasantry, the part which was personally unfree. In south and west Germany in the sixteenth century all peasants, from a public point of view, were subjects (*Untertanen*) of a political authority (*Gerichtsherr*); from an economic point of view, most peasants owed obligations to a landlord (*Grundherr*); and from a personal point of view, a great many peasants still paid fowls annually or made some recognition of the fact that they were personally unfree subjects (*Leibeigene*) of a personal lord (*Leibherr*). This personal unfreedom is *Leibeigenschaft*; it had been severe in its consequences in the Middle Ages, but was relatively mild in the sixteenth century. Later, in the seventeenth century, *Leibeigene* was used to designate east-Elbe peasants, who were really subject only politically and economically to a *Gutsherr* who combined in his single hand the rights of *Gerichtsherr* and *Grundherr*; in the seventeenth century these east-Elbe peasants came to have obligations forced upon them as if they were also personally unfree. Cf. below, notes 66 and 71; also the excellent analysis of the meaning of *Leibeigenschaft* by T. Knapp, *Gesammelte Beiträge zur Rechts- und Wirtschaftsgeschichte* (Tübingen, 1902), pp. 2-38, 85-95, 346-388. *Leibeigener* is often rendered in English by "serf", but as this word is used in many senses I prefer "unfree peasant" as closer to the true meaning of the sixteenth-century *Leibeigener*.

<sup>19</sup> Responsa Singularia, lib. I., cap. III. (*Opera*, V. 15-19): "De operis, deque obsequiis libertorum ac earundem speciebus, insolita quaedam . . . Meas quoque vigilias ea in re addere placuit." The quotations and statements which follow are from this response.

<sup>20</sup> "Homines proprii in paucis quibusdam cum servis participant, et plus ad libertos respiciunt. Si quidem Germania pro Cornelii Taciti sententia veros servos nunquam habuit, id quod ipsa docet rei evidentia. Nam licet aliqui servili

*ab intestato* or *ex testamento*, serve as witnesses, sue in the courts, and engage in business on their own account. They can even make contracts with their lords, and are subject at law to the obligations of such contracts. There is a suggestion of slavery in the fact that the *homines proprii* are restricted in their freedom of marriage, but even in this case, Zasius says, they still resemble freedmen rather than slaves. In this connection he makes an interesting attempt to soften the contemporary German marriage restrictions by quoting in favor of the peasant two passages from the Digest which limit the patron's right to restrict the freedman's marriage. Zasius thinks this good Roman doctrine might well be inculcated on monasteries and nobles in Germany to the benefit of the peasants.

He then gives a general statement of the various dues—fowls, payments in money, labor services, etc.—owed to the lord, and shows his sympathy with the peasantry by adding that there are many lords in Swabia, both lay and ecclesiastical, who are either poor or reckless in expenditure, who use their superior position to cheat their well-to-do peasants; for they borrow of them but never pay back the debt. Zasius's comments upon the labor services show the same sympathy with the peasantry and show also his respect for German customary law. "*Homines proprii*, where there is no special agreement, are bound to perform services only so far as they are according to the custom of the manor or of the neighborhood. . . . Even then they ought not to be so burdened with hard services as not to have sufficient time left for supporting themselves and their families." He recalls passages in the Digest which say that the patron ought to give the freedman a sufficient amount of time within which to do his services and ought not to demand services which are beyond the freedman's bodily capacity, and exclaims, "Quod utinam aetas nostra diligenter perpenderet!"

Similarly, referring to the fact that a great many of the peasants have statements of the mutual obligations of lord and peasant written down in a court roll, Zasius again exclaims, "These statements are observed strictly where they are in the lord's favor; would that they were also observed where the rights and advantages of the peasants are described!"

Finally, he considers the question whether *homines proprii* must provide the lord with the necessities of life. "If we look at the Roman law the matter is quickly settled because this was the duty of the freedman; but if we look at the German practice the question is doubtful, because clearly this *jus alimentorum* is not received

apud nos nota laborent, propria tamen bona possident, propriis degunt domibus, de familia domini non censentur." *Ibid.*

by German custom. Wherefore I drop the question; no one shall say that the burdens of the unfree peasants, which already under some lords are too hard, have been increased by my writings."

Zasius, however, did not confine himself to mere sympathy in his study. On several occasions he gave opinions in regard to the status of peasants; on one occasion he protected twenty-two unfree peasants from unjust treatment by the Count of Tübingen;<sup>21</sup> on another he showed that when a noble forbade his peasants to pasture their cattle in the woods before a certain day under penalty of ten pounds and the peasants broke the rule, the peasants ought to be regarded collectively, and the penalty of ten pounds need be paid but once by all together.<sup>22</sup>

Other passages might be cited, but these few give a fair idea of Zasius's legal treatment of, and real sympathy for, the unfree Swabian peasantry of his day. He understands their conditions and respects German customary law. He sees that the *homines proprii*—the unfree peasants—have little in common with Roman slaves, but do have some resemblances to Roman freedmen; but even here he does not recklessly apply the Roman law.

Of a different character from the writings of Zasius are the legal works of the unknown author of the *Richterliche Klagspiegel*, of Ulrich Tengler and of Perneder. Zasius was a scholar and wrote in Latin for other scholars. Though he did not neglect the practical writings of the Italian jurists and frequently cited from them with respect, he preferred to study the Roman law of Justinian's time and earlier. The writers now to be considered, on the other hand, wrote in German. They aimed to make practical handbooks of Roman law for German notaries and clerks who might not have had a university training. They were "popularizers". They sought their knowledge from the works of Italians like Azo, Baldus, Bartolus, Durantis, and Roffredus, rather than from an independent study of the *Corpus Juris*. Their actual influence upon the practical reception of the Roman law was probably greater than that of more learned men like Zasius. Do they apply the Roman law of slavery to German conditions to the injury of the peasant?

The *Richterliche Klagspiegel*, which is commonly attributed to Sebastian Brant,<sup>23</sup> was written by an unknown author, some time shortly before the invention of printing.<sup>24</sup> Judging from the dialect

<sup>21</sup> R. Schmidt, *Zasius*, p. 69.

<sup>22</sup> Responsa ad tit. I. de Actionibus Poenalibus (*Opera*, IV. 31).

<sup>23</sup> This mistake is due to the fact that Brant brought out a new edition of it in 1516. He made no corrections or improvements of importance, but allowed many blunders to remain. The best account of this interesting law-book is by Stintzing, *Pop. Lit.*, pp. 337-407.

<sup>24</sup> *Ibid.*, p. 356.

and other internal evidences, the author must have lived on the border land between Swabia and Franconia—a region of the later Peasant Revolt. His book must have had considerable vogue, as it was printed in at least five editions before 1500,<sup>25</sup> and in as many more during the next fifty years. The unknown author had mainly before him, and largely translated from, a treatise by Roffredus, as Stintzing has shown by a comparison of parallel passages; but he often found it very difficult to find a proper German phrase to translate a Roman one. He naïvely asks pardon for omitting some passages which were too hard for him, and for evading his difficulty at other times by setting down untranslated the Roman phrase itself.<sup>26</sup> He cannot, for instance, find any German equivalent for *libertus*; in the few cases where he comes across the term, he employs some circumlocution.<sup>27</sup> But he appears to think a consideration of Roman freedmen of little interest for Germany; for he gives very little attention to it—less than half a page—saying in explanation, “dise klag wurt selten geübet, darumb lass ichs fallen”.<sup>28</sup> The thing, however, which has been seized upon by modern writers<sup>29</sup> is the fact that the unknown author actually does in a few, though not many cases, translate *servus* by *eigen Mensch*. He could find no other good German equivalent. At first sight, therefore, it would seem that he is recklessly applying the Roman law of slavery to the German peasant. But in reality he is quite clear that the Roman law of slavery is not applicable in Germany, for he says emphatically, “Mark the fact that there is no *eigen Mensch* [*i. e.*, like the Roman *servus*] either in Swabia or Franconia.”<sup>30</sup> Not satisfied with this, he takes pains in three other separate passages to reiterate that “there are none in the German lands.”<sup>31</sup>

<sup>25</sup> Hain, nos. 3726–3730. The quotations below are from an edition of 1553 in the Harvard University Library.

<sup>26</sup> Cf. fol. 96 a.

<sup>27</sup> “Wann libertus, das ist der, der eigen ist gewesen” (fol. 1 b).

<sup>28</sup> Fol. 42 a. He refers his reader to Azo for further information.

<sup>29</sup> Stintzing, *Pop. Lit.*, pp. 369–371; Vinogradoff, cf. above, note 6.

<sup>30</sup> Fol. 34 b: “Merck was auss unseren eigen Frawen geboren würt, ist unser eigen. Merck, auss dem du magst wol verstehen, das in Schwaben kein eigen mensch ist, noch in Franken”.

<sup>31</sup> Fol. 82 b: “Es mag gepeiniget werden der freigebornen und der eigen mensch, sie seind aber nit in teutschen landen.” Fol. 82 b: “Wo der schuldner wissentlich dem glauber hette zu pfand gesetzt ein eigen mensch . . . diss libel setzte ich nit, wann diesselben eigen menschen seind in teutschen landen nit”. Fol. 119 a: “Wann wer sie [die fraw, die dz ehebrechen gelitten hat] eigen, so het dise verklagung nit statt. . . Auch ist nit not mehr davon zu setzen, wann es ist kein eigen mensch in teutschen landen von denen die obgeschriben recht sagen”. When he comes in the treatise which he is following to the *actio tributoria*, which is an action growing out of a Roman slave relationship, he says (fol. 3 a), “Next comes the action known as *Tributoria*; but it is not used here and therefore I omit it.”



There were, of course, a great many peasants who were commonly called *eigene Menschen* in southwest Germany in the fifteenth and sixteenth centuries, and while the author of the *Klagspiegel* was clear in his own mind that they were not at all the same as Roman slaves it is perhaps open to question whether his less-informed readers may not have depressed the German peasant by a blind application of the passages in the *Klagspiegel* where *servus* is translated by *eigen Mensch*. This may have happened occasionally, though I have been unable to find any case of it; but, as will appear from the consideration of Tengler and Perneder, it could not have been very generally done; neither of these writers was led to do it. Moreover, the unknown author was much more interested in forms of procedure and in criminal law than in the rules of private law. Aside from a very brief treatment of the rules of *peculium* (fol. 3 b), *de servo corrupto* (fol. 9 b), *de liberali causa* (fol. 34 b), and *unde vi* (fol. 97 b), the passages in which *servus* is translated by *eigen Mensch* are in large part merely incidental. They are not passages which discuss status, or other subjects which, if given full treatment on the analogy of Roman slavery, might have tended to depress considerably the legal position of the German unfree peasants.<sup>32</sup> The unknown author's use of *eigen Mensch* for *servus* is rather a discovery of the nineteenth century than a depressing factor in the hands of sixteenth-century practitioners.

What has been said of the *Klagspiegel* of the fifteenth century is confirmed by two of the most popular and influential writers of the first half of the sixteenth century—Ulrich Tengler and Andreas Perneder. Both lived in the region of the Peasant Revolt, and wrote handbooks explaining existing German law and popularizing so much of the Roman law as they considered applicable in Ger-

<sup>32</sup> Professor Vinogradoff makes the interesting suggestion (*Roman Law in Mediaeval Europe*, p. 119) that "we find the *Klagspiegel* trying to fit German class distinctions into the social classification of Rome in the same manner as this was done by Bracton." But Bracton was greatly interested in just this question of status (*cf.* the parallel passages of Azo and Bracton, with notes by Professor Maitland, in the *Publications of the Selden Society*, VIII. 42-82). As Professor Vinogradoff himself points out (pp. 97 *seq.*) "Bracton follows Azo as to the principal and very important generalization 'all men are either free or slaves'. . . Villains are equated with slaves. . . [He] maintained that there was no difference between a serf and a villain." The unknown author of the *Klagspiegel*, on the other hand, completely avoided any consideration of this fundamental Roman dilemma, "omnes homines aut liberi sunt aut servi." I venture to think, therefore, that the analogy between him and Bracton is not complete and that it would be dangerous to apply for him in Germany Professor Vinogradoff's conclusion for Bracton in England (p. 101) that "the infusion of Roman doctrine made the legal treatment of villainage harder than might have been the case otherwise."

many. Tengler describes conditions shortly before, and Perneder shortly after, the Peasant Revolt.

Tengler,<sup>33</sup> as town-clerk of Nördlingen and then as provincial judge for the Duke of Bavaria at Höchstädt, had ample opportunity during a long life to become familiar with the law. He did not confine himself, however, he says in his preface, to his own study and practice, but sought information from others "learned in the law". He took as his model the *Speculum* of Durantis; but he realized that not all Roman law was applicable in Germany and that a great deal of the law in force depended on "well-founded (German) regulations and praiseworthy customs". From these he draws largely. In the single very brief passage—less than half a page—in which he discusses the unfree he suggests in a perfunctory way how persons become unfree, contrary to natural law, by birth, captivity, or debt, and refers to the similar passage in Justinian's Institutes (I. 3); he then concludes with the statement that "the obligations which the unfree owe to their lords depend on all sorts of burdensome usages and customs which cannot be briefly explained in the *Laienspiegel*, but can only be learned by experience in practice of the law."<sup>34</sup> That is, he does not treat the German *Leibeigener* as a Roman *servus* nor define his obligations in Roman terms; he regards him simply as one of the German social class whose obligations are heavy, and vary from place to place according to local German custom, and can only be learned by observation and practice. It is noticeable also that he does not include *Eigenleute* in his list of persons who may not sue in the courts (fol. 6 a) nor in the list of those who cannot serve as witnesses (fol. 50 b).

Perneder,<sup>35</sup> legal adviser of the city of Munich and later councillor of the Duke of Bavaria, being of a studious and practical turn of mind, compiled in his leisure hours a popular law-book.<sup>36</sup> As,

<sup>33</sup> The best account of Tengler and his work is by Stintzing, *Pop. Lit.*, pp. 411-447. Cf. Stobbe, II. 170-173. The first edition of the *Laienspiegel* was published at Augsburg in 1509. Its popularity is attested by the frequency with which it was reprinted: at Augsburg in 1509, 1511, 1512, at Strassburg in 1510, 1511, 1514, 1516, 1518, and at least six more times before the middle of the century. The quotations below are from a Strassburg edition of 1510 in the Hohenzollern Collection, Harvard University.

<sup>34</sup> *Laienspiegel*, fol. X a: "Auch wes sie [die eygenleüthe] iren herren müssen verpflicht, des sein menigerley beschwerlich gebreuch und gewonheit, die hierinn mit kurtz nit zu erkleren, sonder bey den erfaren der recht zu erfinden sein mogen". *Eigenleute*, used here, is another common equivalent for *Leibeigene*; cf. above, note 18.

<sup>35</sup> Cf. Stintzing, *Gesch. d. Rechtswissenschaft*, I. 573-579; Stobbe, II. 173-174; F. Litten, *Röm. Recht und Pandekten Recht* (Berlin, 1907), pp. 53-54.

<sup>36</sup> *Institutiones Auszug und Anzaigung etlicher geschriben Kaiserlichen und des Heyligen Reichs Rechten* (Ingolstadt, 1555; printed first in 1545, and often reprinted).

according to his own statement, he planned to give those passages of the Roman law which were actually in force in Germany in his own day, it is significant that he does not give the slightest account of the Roman law of slavery. On the contrary, in his chapter "on those who are subject to the law of another", under the heading "Von Leibeygenschafft in teutscher Nation", he refers to the fact that in ancient times the unfree had no property of their own, according to the Roman principle, "quodcumque per servum acquiritur, id domino acquiritur", and then adds distinctly: "But the (Roman) law in this case especially is not at all observed by us Germans."<sup>37</sup> He goes on to explain, evidently following Zasius, how the German unfree are unlike the Roman slaves but in some respects may be compared to the Roman freedmen.

Thus, it appears that the leading legal writers, both learned and popular, of Luther's time did not ignore German customary law in regard to agrarian conditions, and did not treat the German unfree peasant as a Roman slave.

Having considered what the Roman lawyer of Luther's time thought of the German peasant, one wishes to know what the peasant thought of the lawyer and the Roman law. According to the commonly accepted opinion he cordially hated them; there was a "popular opposition" to the "foreign" law; the Roman law was one of the grievances of the peasant and a direct cause of the Peasant Revolt of 1525. It is interesting to examine first the contemporary evidence alleged in support of these opinions. It consists chiefly of the complaints of provincial estates and of satirists and reformers, and of an anecdote of what happened in Thurgau.

In 1497 the provincial estates of Bavaria complained to their duke that the courts are not provided with officials in the proper fashion; that there are many "learned men" and few of the native nobility; that the book of Bavarian law, which "outlandish" men are not acquainted with, lies unused; that consequently there arise new laws unknown to our forefathers and contrary to the common rules and custom of our land; that from all this arises much distress,

<sup>37</sup> Fol. 6 b. The same statement is also found in another much used law-book, entitled: *Statuten Buch, Gesetz, Ordnungen und Gebräuch Kaiserlicher Allgemainer und etlicher Besonderer Land und Stett Rechten* (Frankfort, 1553), fol. 5 a: "Vor Zeiten haben die Leibeygene Knecht innhalt geschribener Recht gar nichts eygens gehabt, sonder was sie uberkommen ist alles des Herren gewesen. *Institut. per quas person. nobis acquir.* Es werden aber die Recht in disem fall sonderlich bei uns Teutschen gar nit ghalten und unsere leibeygen leut mehr den freigelassnen in Latein Liberti genant, vergleichtet. Besitzen eygne güter, wonen in eygnen heusern, werden auch under dem haussgesinde des Herrn gar nit gzelt. Item sie mögen . . . eben so wohl als die Freien personn mit und on Testament erben haben", etc. Cf. Zasius, above, note 20.

evil, and confusion.<sup>38</sup> In 1514 the estates of Württemberg made a similar complaint and in 1515, as well as on several subsequent occasions, the Tyrolese estates did likewise.<sup>39</sup>

These complaints are cited as evidence of the "popular opposition" to the "foreign" law.<sup>40</sup> But these complaints are not an expression of peasant opinion at all; they are not "popular" complaints; they are the complaints of the estates, and the estates represent the opinions of the lesser nobility, the clergy, and the towns, but not of the peasants or "people".<sup>41</sup> Furthermore these complaints are not a certain evidence of opposition to the Roman law even on the part of the lesser nobility. In Bavaria, for instance, what the nobility objected to in 1497 was not the Roman law;<sup>42</sup> they objected primarily, as they had been objecting for a couple of centuries and before there was any question of Roman law, that the duke did not always reserve the best offices for "honorable and respectable men, who can show quarterings on their arms, and who are natives of Bavaria",<sup>43</sup> in other words for themselves.

The gibes of the satirists, likewise, cannot be properly regarded

<sup>38</sup> O. Franklin, *Beiträge zur Geschichte der Reception des Römischen Rechts in Deutschland* (Hannover, 1863), p. 23; cf. below, note 42.

<sup>39</sup> V. Below, *Ursachen*, pp. 70-92; Sartori-Montecroce, *Beiträge zur Oesterr. Reichs- und Rechtsgeschichte* (Innsbruck, 1895), pp. 9 seq.; F. Hirn, *Gesch. d. Tiroler Landtage von 1518 bis 1525* (Pastor's *Erläuterungen zu Janssen's Geschichte*, IV., heft 5, 1905); H. V. Voltolini, in *Mittheilungen des Instituts für Oest. Geschichtsforschung*, XXIX. (1908) 182-188; H. Wopfner, *Die Lage Tirols zu Ausgang des Mittelalters und die Ursachen des Bauernkrieges* (Munich, 1908), pp. 183 seq.

<sup>40</sup> Stobbe, II. 50-51; Janssen, I. 492; Schapiro, p. 52.

<sup>41</sup> The composition and number of estates varied greatly in the different territories in Germany. Ordinarily the lesser nobility was by far the most influential element. Even in the very few instances (East Friesland, Kempten, to some extent the Tyrol, and a few tiny territories in central Germany) in which free peasants had a slight representation, the peasant influence was wholly overshadowed by that of the other estates. Cf. v. Below, *Territorium und Stadt*, pp. 163-282, on the "System und Bedeutung der landständischen Verfassung", especially pp. 198-222.

<sup>42</sup> It is not true that "In 1463 Duke Johann of Bavaria was forced to promise that he would not appoint jurists to his courts and would eradicate all Roman law" (Schapiro, p. 52); what he promised was, "das wir unsere gericht allenthalben in niderland [Lower Bavaria] mit erbaren leumbtigen leuten, die wap-pensgenoss sein, darzu die landschranken redlich und nach notturft besetzen wollen, darmit die recht aufrichtiglich gefurdert werden" (Franklin, *l. c.*, p. 20). In 1497 the estates did not speak of "juris Romani professores" but merely of "Gelehrten"; the Latin phrase specifically mentioning Roman law is a later translation published by an eighteenth-century writer with an animus against the Roman law; this loose Latin version has become a *locus classicus* in the legend, since Eichhorn called attention to it (cf. below, note 74).

<sup>43</sup> For the constant repetition of this idea of 1463 (cf. German text in preceding note) as far back as the first part of the fourteenth century, see Franklin, *l. c.*, pp. 11-34 (ch. II., "Die landständischen Freiheitsbriefe").



as certain expressions of the peasant attitude toward the jurists and the Roman law; nor are they directed so much at the Roman law, or at jurists as representatives of the Roman law, as against jurists as individuals who were not free from human frailties.<sup>44</sup> Also, aside from the fact that it is dangerous to take satirists too seriously, many of their charges against the jurists are the expressions of an individual with a special grievance and do not necessarily represent a general feeling. Ulrich von Hutten, for instance, who is much quoted for the passages in which he pays his respects to the jurists,<sup>45</sup> belonged to the class of free imperial knights, that anomalous feudal survival from the German Middle Ages, which was rapidly being pushed to the wall by the new political forces of Luther's time. Hutten, like the Bavarian nobility, was jealous of this new class which stood for law and order, and which was getting places of more and more influence with the emperor and the rising territorial princes.<sup>46</sup> It may well have been the gall of jealousy and failure that was the motive of Thomas Murner's outbursts in the "Gild of Rogues".<sup>47</sup> Murner was a literary charlatan who first gained notoriety by giving humanistic courses on the classics at Freiburg; then he taught logic by the use of playing-cards and prosody by checkers with such success that he was held by some to be a wizard. Noticing the growing favor which was being accorded to Roman law, he offered to the public a "playing-cards edition of Justinian's Institutes". In this, by pictures and artificial devices to aid the memory, he guaranteed to teach anyone, "even one who knows little or nothing", the sum and substance of Justinian's Institutes "in four weeks; let no one be frightened away by the shortness of the time".<sup>48</sup> This venture had no commercial success, but widened the breach between him and the serious-minded jurists. Zasius, indignant at such nonsense, denounced Murner in no uncertain terms,<sup>49</sup> and prevented him from getting the degree of doctor of

<sup>44</sup> Cochlaeus, quoted by Janssen, I. 491, is exceptional in specifically denouncing the law of Justinian.

<sup>45</sup> Quoted at length by Stobbe, II. 45-47.

<sup>46</sup> He complains in the "Robbers", (*Opera*, ed. Böcking, IV. 378), "Quorum scribae totum regebant Maximilianum nobis . . . et abutebantur simplice principe ut volebant." *Ibid.*, p. 383: "Quoties aguntur apud Principes controversiae, hi statim accersuntur Sapientes, qui dejudicent, occupantque Principum aulas ipsi, ejecta nobilitate, soli."

<sup>47</sup> Quoted by Zimmermann, *Bauernkrieg* (first edition), I. 314, by Janssen, I. 488, and by Schapiro, p. 48.

<sup>48</sup> *Chartiludium Institute summarie doctore Thoma Murner memorante et ludente*; cf. L. Sieber, "Thomas Murner und sein juristisches Kartenspiel", in: *Beiträge z. vaterl. Gesch. herausg. v. d. histor. Gesellschaft in Basel*, X. (1875): 273-312; and Stintzing, *Pop. Lit.*, pp. 465-467.

<sup>49</sup> *Opera*, I. 122; Stintzing, *Pop. Lit.*, p. 467.

laws.<sup>50</sup> This personal hostility between Murner and more successful writers was probably not without its influence on the author of the "Gild of Rogues".<sup>51</sup>

The piece of evidence which is perhaps urged most often and with the greatest confidence, and which is also most typical in the growth of the legend, is the Thurgau anecdote.<sup>52</sup> This anecdote, which is delightfully picturesque but too long to be quoted here, was first given prominence in an abbreviated form by G. L. Maurer in 1824, but may be traced to its original author in a longer form.<sup>53</sup> A certain German named Kreydenmann went to the Swiss village of Frauenfeld in Thurgau and after "a noble dinner" and "all sorts of discourse" heard some one tell how a Roman jurist from Constance had once been shown the court-room door at Frauenfeld for quoting two Italian Romanists.<sup>54</sup> Now, instead of this being evidence of hostility to Roman law in Germany at the beginning of the sixteenth century, as is assumed by all the writers who follow Maurer, it really appears from the original account that it is evidence, not for Germany, but for Switzerland; in fact, the very reason why Kreydenmann notes the anecdote is to show how Switzerland, to which the influence of the *Reichskammergericht* did not extend and in which Roman law was not "received", differed from Germany; and, in the second place, the anecdote does not belong to Luther's day at all, but to the seventeenth century. Here, as elsewhere, the legend has been made to rest upon evidence which has been transferred from the seventeenth to the sixteenth century.<sup>55</sup> Also the accuracy itself of facts told after "a noble dinner" and "all sorts of discourse" may be open to some question.

Finally, there is the so-called Reformation of the Emperor Fred-

<sup>50</sup> Stintzing, *Pop. Lit.*, p. 462; Murner was already a doctor of theology.

<sup>51</sup> That Murner tried to popularize the Roman Institutes and at the same time denounced jurists is significant of the fact stated above: that such opposition as existed was opposition to jurists as individuals and not as representatives of Roman law. Similarly Sebastian Brant and Zasius, both of whom had a high opinion of Roman law and wrote and edited many works dealing with it, take occasion to score members of their own profession. Cf. similarly Luther's *Tischreden, Sämmtliche Werke* (Erlangen, 1854), LXII. 214-284.

<sup>52</sup> By Vinogradoff, cf. note 7 above; Maitland, *l. c.*, p. 83; Janssen, I. 492; Stintzing, *Pop. Lit.*, p. xxv; Zoepfl, *Deutsche Rechtsgeschichte* (fourth ed., 1871), I. 226; and by G. L. Maurer, cf. below, note 75.

<sup>53</sup> J. C. Kreydenmann, *Tractatus von der Reichsritterschaft* (1646), Quaestio 28, § 16, printed in Burgermeister's *Bibliotheca Equestris* (Ulm, 1720), I. ii. 757.

<sup>54</sup> "Hort ihr, Doctor! wir Eydenossen fragen nicht nach dem Barthele und Baldele und andern Doctorn, wir haben sonderbahre Landbrüch und Recht. Naus mit euch, Doctor, naus mit euch. Und habe der gute Doctor müssen abtreten . . ."

<sup>55</sup> Cf. below, note 76. Kreydenmann told the anecdote in 1646.

erick III., a radical and somewhat incoherent panacea proposed shortly before 1525 for the social and political ills of Germany. It is drawn in part from earlier reform plans of the fifteenth century, a fact which led many writers to attribute it by mistake to Frederick III.<sup>56</sup> But it also breathes the spirit of fanatical opposition to political and especially ecclesiastical authority, which is common in the radical writings that, after 1520, began to follow in the wake of Lutheranism. It says (Art. V.) in hostile language that there ought not to be any doctors of law, civil or canon, in the courts or councils of princes, though three doctors ought to be maintained at each university in Germany who may study law and be appealed to for decisions in cases of doubt. This hostility is due partly to a common tendency among the fanatical writers of the period to identify the jurists representing Roman law with the bitterly hated ecclesiastical authorities representing canon law. The same man often held the degree in both laws and the blind hatred felt for the Roman church officials was easily transferred and extended to the jurists. It is due partly also to the fact that this document is probably the work of a group of free imperial knights, that is, of a class which had special reasons for hating jurists as well as ecclesiastics. Though this document circulated among the peasants it certainly was not written by a peasant; its statements cannot be regarded as the spontaneous expression of peasant opinion but rather as ideas suggested to them by the knights.

On the other hand, if one turns to the Twelve Articles and the local statements of grievances which were drawn up in the winter and spring of 1524-1525 and which do clearly express peasant opinion, there is no direct indication of hostility to jurists or the Roman law.<sup>57</sup> There are complaints against new burdensome reg-

<sup>56</sup> Cf. Stobbe, II. 50-53. Schapiro, pp. 100-114, gives a translation and a brief account of the theories in regard to this document. H. Werner, "Die Reformation des Kaisers Friedrich III.", in *Westdeutsche Zeitschrift für Geschichte und Kunst* (1909), XXVIII. 29-70, and (1910), XXIX. 83-117, has recently shown good reasons for believing that it was the work, not of the peasants, but of the West-German *Reichsritterschaft* under the lead of Franz von Sickingen and that it was written out by Hartmuth von Cronberg in Landau in August, 1522, sent to Luther, and printed in 1523. It was the basis for a very similar document known as Hipler's Reformation; some of the same ideas are found in the reform projects of Eberlin v. Günzburg and of Geismayer; cf. Schapiro, pp. 115-160.

<sup>57</sup> Cf. original documents or summaries of them given by Oechsle, Bensen, Jörg, Baumann, and Hartfelder in their volumes on the Peasant Revolt; also H. Wopfner, *Quellen z. Gesch. des Bauernkrieges in Deutschtirol* (Innsbruck, 1908). The phrase, *Juristen sind böse Christen*, appears to have originated, not with the peasants, but with learned theologians who were attacking the jurists on theological grounds (cf. Stintzing, *Das Sprichwort: "Juristen böse Christen"*,

ulations, arbitrary judgments, excessive punishments, unfair advocates,<sup>58</sup> and undue costs. But these complaints do not specifically indicate the jurists, and still less the Roman law, as causes of these evils. Nor is there any hint of a complaint that jurists were treating the unfree peasants as Roman slaves. It is likewise significant that in that great storehouse of genuine peasant ideas, Grimm's *Weistümer*, there is not the slightest indication of any hostility to Roman law or jurists.<sup>59</sup> In fact the peasants had very little acquaintance with it, for Roman law permeated only very slowly from the higher courts of the emperor, princes, and towns down into the local country courts before which most peasant litigation came. The dissatisfaction, evidenced by the complaints of lack of justice in the grievances of 1524-1525, was really often dissatisfaction with an oppressive and abusive use of German law and German legal procedure. This dissatisfaction sometimes led people, as Stölzel has shown from an examination of the local records of Hesse in the fifteenth and sixteenth centuries, actually to turn from the German courts and seek the arbitration of some Roman-trained official in the service of the territorial prince.<sup>60</sup> In other cases persons took appeals from the judgment of the popular court, where the people had rendered judgment according to German law, and carried their case voluntarily to the supreme court of the territorial prince where jurists were ordinarily in a majority.<sup>61</sup> This could never have happened if there had been any general consciousness of the application of a "foreign" and oppressive Roman law.<sup>62</sup>

It is perhaps a further indication that peasants did not hate and detest jurists and Roman law that many peasants, along with the

Bonn, 1875, pp. 5-10). Stintzing, under the influence of nineteenth-century ideas indicated below, assumes (pp. 13, 16) that this phrase was used by the peasants in 1525, but admits (p. 13) that there is no direct evidence for this assumption.

<sup>58</sup> Complaints against "Vorsprecher", which were common in Luther's day as in earlier centuries before the Reception, have been often interpreted as complaints against Roman jurists and even against Roman law; but the Vorsprecher existed as an official in the old German legal system before the Reception of the Roman law; he formulated for the parties the proper answers in court; by an abusive practice he was often allowed even to formulate the decision of the case; and he also roused resentment by various evil practices; cf. A. Weissler, *Geschichte der Rechtsanwaltschaft* (Leipzig, 1905), pp. 25 seq., 74-83.

<sup>59</sup> This statement is made partly on the basis of a reading of a large part of the *Weistümer* dating from 1450 to 1550 and partly on the supposition that the voluminous index made by R. Schröder (vol. VII., 1878) is complete. In fact there is no mention of Roman law, with one exception, VI. 721 (undated).

<sup>60</sup> A. Stölzel, *Entwicklung des gelehrten Richterthums* (Stuttgart, 1872), I. 142-165; II. 177 seq.

<sup>61</sup> *Ibid.*, I. 166-231; II. 61-66.

<sup>62</sup> Cf. *ibid.*, I. 35-42.



young men from the towns, studied law at the universities and eventually secured official positions which had formerly been largely monopolized by the clergy and lesser nobility. The desire of Luther's father that his son should become a jurist is not an exceptional case.<sup>63</sup>

Finally, the Peasant Revolt, of which the jurists and Roman law have been commonly regarded as a cause, is sufficiently explained on other economic, political, and religious grounds, as has been shown in several recent monographs on special localities.<sup>64</sup> In the spring months of 1525, when the peasants began to murder nobles and clergy and burn castles and monasteries, one does not find any German peasant making the cheerful suggestion which Shakespeare attributes to one of Jack Cade's followers: "The first thing we do, let's kill all the lawyers."

How then did these commonly accepted ideas, which are not supported by sixteenth-century contemporary evidence, come into being? How did the legend arise? Like other legends it grew from small beginnings and from a combination of several elements. It germinated in a confusion of peasant conditions east and west of the Elbe. It began to grow through the assignment to the sixteenth century of what really happened in the seventeenth century. It was strengthened by the growth of a nationalistic German feeling. And it reached its present form through the tendency of writers to copy blindly second-hand statements, or even, in the interest of a theory or prejudice, to make generalizations not warranted by the facts.

Peasant conditions east of the Elbe have had a very different development from those west of the Elbe.<sup>65</sup> In the East, in the lands once occupied by the Slavs, German colonists settled in the thirteenth century as free peasants. But in the course of the fifteenth and sixteenth centuries, owing to peculiar economic and political conditions, these free peasants sank into a condition little

<sup>63</sup> Cf. Max Lenz, in *Historische Zeitschrift*, LXXVII. 401 seq.

<sup>64</sup> H. Wopfner, *Die Lage Tirols zu Ausgang des Mittelalters und die Ursachen des Bauernkrieges* (Berlin, 1908), pp. 184-189; W. Stolze, *Zur Vorgeschichte des Bauernkrieges* (Berlin dissert., 1900), p. 14; F. Kiener, "Zur Vorgesch. d. Bauernkrieges", in *Zeitschrift f. Geschichte des Oberrheins*, Neue Folge, XIX.; cf. also Kaser, in *Deutsche Geschichtsblätter*, IV. (1903) 301-309; A. Memminger, *Zur Gesch. der Bauernlasten* (Würzburg, 1908), p. 117.

<sup>65</sup> For excellent general accounts of the contrast between the great produce-yielding estates of the cultivating lords in the east (*Gutsherrschaften*) and the rent-yielding estates of landlords in the south and west of Germany (*Grundherrschaften*) see v. Below, *Territorium und Stadt*, pp. 1-96, and T. Knapp, *Gesammelte Beiträge*, pp. 348-388, reprinted from *Zeit. d. Savigny Stiftung*, XIX. (1898) 16-51. For monographs on special regions see Dahlmann-Waitz, *Quellenkunde* (seventh ed., 1906), nos. 1706-1746, and *Ergänzungsband* (1907), nos. 1696-1745.

better than that of Roman slaves.<sup>66</sup> This deterioration was not at first in any way due to the jurists or the Roman law,<sup>67</sup> but by the time the deterioration was largely accomplished, that is, by the close of the sixteenth century, there appeared Roman jurists who did recklessly apply the Roman law of slavery to these poor east-Elbe peasants. This was first actually done in 1590, nearly three quarters of a century after the Peasant Revolt, by a Mecklenburg jurist named Husanus. Enamored of the Roman law, ignorant of history, without even an accurate observation of peasant conditions about him, and scarcely twenty-four years of age, he wrote a tract which amply deserves the reproaches which have been heaped upon the jurists.<sup>68</sup> He says: "The peasantry of north Germany represent for us the exact image of ancient slavery. All the laws sanctioned in regard to slaves may be properly transferred and applied to our peasants."<sup>69</sup> For his authority he quotes from Justinian's Digest. Here is the beginning of the legend.

From the beginning of the seventeenth century it became common for Romanizing jurists, following Husanus and quoting his arguments and false analogies, to regard the depressed east-Elbe peasants as Roman slaves; in so doing they depressed them still farther. The legend, thus germinated, then began to grow from the fact that later writers did not always distinguish between conditions east and west of the Elbe nor between conditions of the seventeenth and sixteenth centuries. Ideas held in the seventeenth century in regard to east-Elbian peasants were carelessly transferred

<sup>66</sup> The east-Elbe noble, deprived of his former congenial occupation of fighting, turned to agriculture, increased the number of acres under direct cultivation, expropriated peasants, and forced those who remained to perform steadily increasing agricultural services; when the peasant tried to run away or sell his land he was prevented by his lord, who feared to lose his services. The nobles were able to exploit and depress their peasants for their own selfish interests, partly because they put enough pressure on the weak territorial prince to make him legalize their actions, and partly because they had secured a jurisdictional as well as economic authority over the peasant; the lord was both *Gerichtsherr* and *Grundherr*, and if he wished to make an oppressive use of this double authority there was no help for the peasant; cf. above, note 18.

<sup>67</sup> F. Grossmann, "Ueber die gutsherrlich-bäuerlichen Rechtsverhältnisse in der Mark Brandenburg", in Schmoller's *Forschungen*, IX. (1890), heft 4, pp. 18-49; C. Beyer, *Die Regierung und die Bauern, Kulturgeschichtliche Bilder aus Mecklenburg* (Berlin, 1903), p. 16; H. Böhlau, "Ueber Ursprung und Wesen der Leibeigenschaft in Mecklenburg", in *Zeit. f. Rechtsgeschichte*, X. (1872) 357-387; C. J. Fuchs, "Der Untergang des Bauernstandes und das Aufkommen der Gutsherrschaft nach archivalischen Quellen aus Neu-Vorpommern und Rügen" (Strassburg, 1888, in G. F. Knapp's *Abhandlungen*, heft VI.), pp. 39 seq.

<sup>68</sup> *Tractatus de Servis seu Hominibus Propriis, in quo tum veteris, tum hodiernae Servitutis Jura breviter ac dilucide explicantur*. It was twice printed in 1590, again in 1663, and again in 1699; cf. Böhlau, l. c., pp. 387-426.

<sup>69</sup> *Tractatus*, II. 25 and 37.

and imputed to sixteenth-century jurists in regard to peasant conditions in south and west Germany.<sup>70</sup> This mistake was all the more natural because of another. Up to the seventeenth century the east-Elbe peasants were ordinarily designated in an historically proper fashion as "peasants" (*Bauern*), "subjects" (*Untertanen*), or "settlers" (*Lassiten*). But in the seventeenth century, partly owing to a confusion of terms, and partly owing to the influence of Husanus and his followers, east-Elbian peasants come to be designated as *Leibeigene*.<sup>71</sup> This was the same word as was used, though with a somewhat different meaning, for West German unfree peasants in the sixteenth century.

The legend, thus started, took strength from the growth of a nationalistic school of German jurists—of men who had a love for, and a pride in, the old German law. This feeling first finds decisive expression in Conring's remarkable pamphlet, *De Origine Juris Germanici* (1643). Conring, who laid aside his profession of physician to come to the rescue of a Helmstadt professor of law who had been attacked for denying the authority of the Roman law in medieval Germany, is the first of a long line of eminent Germanists.<sup>72</sup> These Germanists were naturally ready to think evil of the rival system of Roman law and its adherents. Thomasius, Senckenberg, and others in the eighteenth century began to reproach not only the Romanists of their own day but also those of the sixteenth century with a harmful disregard of German law, and a still more harmful application of false Roman analogies to German conditions. The antagonism was deepened, after Napoleon's invasion of Germany and the introduction of the Code Napoleon into parts of western Germany, by the conflicts which arose between those who wished to make a code for Germany, and those who, like Savigny and his "historical" school, maintained that the time was not yet ripe for this. The Germanists were strengthened after the overthrow of Napoleon by the strong nationalistic spirit, by the Romantic movement, and a little later by the activity of the Grimm brothers in reviving the German Middle Ages. Under the influence of philosophy there was developed the conception of a self-conscious Ger-

<sup>70</sup> Cf. below, note 76.

<sup>71</sup> In Pomerania in official documents as early as 1616 (Fuchs, p. 71); in Mecklenburg in 1633 (Beyer, p. 41); and in Brandenburg in 1632 the Elector, replying to the nobility of the Neumark, speaks of their "hergebrachten Leibeigenschaft über ihre Untertanen" (Grossmann, p. 32, note 5); cf. above, note 18.

<sup>72</sup> Stobbe, II. 418 seq.; Stintzing, *Gesch. d. Rechtsw.*, II. 3-6, 165-188. According to F. Frensdorff, "Das Wiedererstehen des Deutschen Rechts", in *Zeit. d. Savigny St.*, XXIX. (1908) 48, the word "Germanist", as applied to the school opposed to the "Romanists", does not occur until 1791.

man "folk".<sup>73</sup> Eichhorn, in his account of the Reception, relying on the loose Latin version of the complaints of the Bavarian nobility, had already assumed that there were "very lively complaints against the Doctors and the way they applied Roman law to German conditions".<sup>74</sup> Then G. L. Maurer, writing under the influence of this philosophy and nationalistic feeling, and with the avowed purpose of showing the advantages of the old German procedure and securing its adoption again in Germany,<sup>75</sup> went much further. Taking as a basis the passage in Eichhorn, the writings of Hutten and "such other true friends of the fatherland", the Thurgau anecdote, and the so-called Reformation of Frederick III., he exaggerates and generalizes these class or individual expressions of opinion into a general popular opposition of the whole German nation, not only to the jurists, but also to the Roman law; he brands the Roman law as "foreign" to the spirit of the free German people, and represents the people at the time of the Reception as bitterly conscious that it was a "foreign" law. Then this idea was further developed by G. Beseler, K. Hagen, C. A. Schmidt, and other Germanistic legal writers.

Meanwhile Zimmermann was writing a popular history of the Peasant Revolt, and seeking for as many causes as possible to prove the misfortunes of the peasants and the cruel oppression of the ruling classes. He not only accepted the general Germanistic charges against the Roman law, but greatly added to the legend by accepting and alleging what happened in Pomerania in the seventeenth century as characteristic of southwest Germany at the opening of the sixteenth century.<sup>76</sup> Zimmermann's book has been

<sup>73</sup> Cf. Hegel, *Philosophie des Rechts* (1821), and S. Brie, *Die Idee des Volksgeistes bei Hegel* (Breslau, 1909).

<sup>74</sup> Eichhorn, *Deutsche Staats- und Rechtsgeschichte*, § 444, note a; the first edition was in 1808. On the complaint of the Bavarian nobility, cf. above, notes 40-43.

<sup>75</sup> G. L. Maurer, *Gesch. des Altgermanischen . . . Gerichtsverfahrens, dessen Vortheile, Nachtheile und Untergang* (Heidelberg, 1824), Vorrede, p. vi: "Das gerichtliche Verfahren war noch wahre Volkssitte, die erst in den im späteren Mittelalter aufgedrungenen fremden Gesetzen ihren Untergang fand. . . Mein innigster Wunsch ist es wenigstens, dass wir, wie in anderer, so auch in dieser Hinsicht, von dem Fremden lassen und zum Einheimischen . . . zurück kehren möchten. Zumal da das nationale Verfahren unlängbare Vortheile vor dem Fremden . . .", etc.

<sup>76</sup> W. Zimmermann, *Allgemeine Gesch. des Grossen Bauernkrieges* (first ed., Stuttgart, 1841), I. 313: "The introduction of the Roman Law, unwholesome in so many respects, was especially so as regards its oppressiveness for the common man. Since the close of the fifteenth century the doctors of law gave decisions according to Roman law. With their heads full of Roman jurisprudence and Roman terms, and ignorant of old German law and old German conditions, they confused and muddled native and foreign law; by their decisions they depressed



much quoted by writers on the Peasants' War; his statements about the Roman law have been uncritically accepted, and the idea that it was a cause of the Peasant Revolt has strengthened the idea that it was opposed and hated by the people. Finally Janssen, a Catholic historian anxious to show that Germany was worse off in the Lutheran age than earlier, and therefore inclined to magnify any influences which have been regarded as depressing to the peasant, has emphasized those passages in the sixteenth-century literature which serve his purpose, and given the legend the form from which later writers have largely quoted.<sup>77</sup>

In summary, then, I would say that an examination of the writings of Zasius and other jurists and writers of the sixteenth century does not support the commonly accepted ideas that the introduction of the Roman law tended in the time of Luther to depress the German peasant into the condition of a Roman slave; nor that there was a "popular opposition" to it; nor that it was a grievance of the peasants and one of the causes of the Revolt of 1525. These ideas are of the nature of a legend which has grown up in later centuries, due partly to a confusion of peasant conditions east and west of the Elbe, partly to a nationalistic German feeling, and partly to unwarranted generalizations and an uncritical dependence of one secondary authority upon another.

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individuals and whole villages from a free into an unfree condition, as could be proved by hundreds of documents and has been proved, for instance, by Arndt in regard to Pomerania. These juristic upstarts were the most zealous agents of the lords' usurpations and encroachments. They either misunderstood or purposely ignored and distorted the old German conditions. If they found in the case of a free rent-paying peasant a single indication which has any resemblance to *Leibeigenschaft* . . . they forthwith applied to him the Roman law of Slavery." Zimmermann does not, however, cite a single one of these "hundreds of documents". His only evidence for these sweeping generalizations is the combination of a quotation from Murner's "Gild of Rogues" (for its value cf. above, notes 48-51) with an indefinite reference to Ernst Moritz Arndt's *Geschichte der Leibeigenschaft in Pommern und Rügen* (Berlin, 1803). This is a good little book in which Arndt describes the terrible depression of the Pomeranian peasantry in the seventeenth and eighteenth centuries, and in which he quotes the depressing Romanistic theories of Mevius (1646) and Balthasar (1779), two followers of Husanus; he holds these to be directly responsible in part for the Pomeranian peasant's unhappy lot.

<sup>77</sup>It is not, of course, simply the alleged effect of the Roman law on the peasant which is the basis of his attack on the Roman law; he has many other reasons for regarding it as "heathenish" and generally harmful in contrast to the "Christian" German law (cf. I. 474 seq.).

## HORACE WALPOLE'S MEMOIRS OF THE REIGN OF GEORGE THE THIRD, I.

WHAT may be called the Whig view of the reign of George III. is as familiar to Americans as the traditional notion of the Revolution, of which it is, indeed, an integral part: the king ascended the throne with the fixed intention of overthrowing English constitutional liberty and of restoring the prerogative to its former high position; in this attempt he was steadily supported by the Scots and the Tories, and resisted as steadily by the Whigs; the attempt to subject the colonies to the crown was part of this deep-laid scheme; nevertheless, the king failed finally because of the assistance which the Whigs in America gave to their brethren in England, and thus, as Pitt professed to have conquered America in Germany, English patriots vanquished their king at Yorktown. An interpretation so flattering to national pride was bound to find ready acceptance in America, while to the English Whigs of the Reform Bill period it was almost equally attractive; it hardly needed the solemn pronouncements of Bancroft or the glitter of Macaulay's rhetoric to give it all the appearance of an axiomatic truth.

The theory is to be found, of course, in newspapers and party pamphlets from the time of the Stamp Act. These, however, even Whig historians would regard with suspicious eye. But in 1845, the year after Macaulay's second essay on Chatham appeared in the *Edinburgh Review*, there was published in England a work which seemed to give to the Whig contention the support of solid contemporary evidence, inasmuch as it indicated that the designs of the king were apparent to unprejudiced observers from the beginning of his reign. Horace Walpole's *Memoirs of the Reign of King George the Third* professed to have been written between the years 1766 and 1772. The author was a member of Parliament, a friend of men in power and out, a close observer, an indefatigable notetaker, a lively gossip, and a successful ferreter-out of secrets. He pretended to be indifferent to all parties, a mere dabbler in bric-a-brac who recorded impartially, for the edification of posterity, the tale of passing events. And yet the theory of the *Memoirs*, in so far as they present any general interpretation of the reign, is the Whig theory; and one might suppose, if the mere matter of chronology

did not forbid it, that Macaulay came fresh from reading Walpole when he sat down to write the essay on Chatham.<sup>1</sup>

It is quite true that Walpole was not accepted as an oracle by the Whigs any more than by the Tories. Macaulay, at least, would scarcely have relished being told that his own work embodied the opinions of the man whom he had already called a fool in as many balanced sentences as his copious vocabulary could furnish forth.<sup>2</sup> Of the *Memoirs* themselves, indeed, he said nothing, leaving it to the amiable Croker to tell the world that Walpole was actuated by nothing but vanity and cupidity, and that he wrote, besides, in bad temper.<sup>3</sup> Nevertheless, the *Memoirs* were favorably reviewed in *Blackwood's*<sup>4</sup> at the time of their publication, and half a century later Leslie Stephen took occasion to call them "good old-fashioned history", comparing them, to their great advantage, with the "fashion now prevalent, in which six portly folios are allotted to a year, and an event takes longer to describe than to occur".<sup>5</sup> A new edition of the *Memoirs* in 1894,<sup>6</sup> and of the letters in 1903,<sup>7</sup> together with the reviews they called forth, have in a measure completed the rehabilitation of Walpole's works as historical sources of first-rate importance. I believe that they are so indeed. Whether the letters are worth more or less, in that respect, than the *Memoirs* is perhaps an open question, but one which need not be considered here. It may, however, be worth while to consider whether the *Memoirs*, since they contain what I have called the Whig view of the reign of George III., are precisely what they profess to be. To what extent are they contemporaneous with the events they chronicle?

The memoirs cover the period from the accession of George III., October 25, 1760, to the death of the princess dowager in 1772. Walpole says he began the *Memoirs* August 18, 1766.<sup>8</sup> During the

<sup>1</sup> Macaulay was of course familiar with Walpole's letters, which, after 1775, express the Whig view even more clearly than the *Memoirs*. Macaulay's famous saying about Tories being fools may have come from Walpole. "A Whig may be a fool, a Tory must be so", etc. *Letters*, X. 273. Leslie Stephen asserts that much of Walpole's light has been "transfused" through the pages of Macaulay. *Hours in a Library*, II. 156.

<sup>2</sup> Cf. Macaulay's review of the letters to Mann. *Essays* (Longmans, 1898), II. 314.

<sup>3</sup> *Quarterly Review*, LXXVII. 136.

<sup>4</sup> LVII. 353.

<sup>5</sup> *Hours in a Library*, II. 154.

<sup>6</sup> By G. F. Russell Barker, in four volumes. (London: Lawrence and Bullen; New York: G. P. Putnam's Sons.) The citations in this article are to this edition.

<sup>7</sup> By Mrs. Paget Toynbee, in sixteen volumes. (Oxford: Clarendon Press. 1903-1905.) The citations in this article are to this edition.

<sup>8</sup> *Notes of my Life*, printed in the preface of Mrs. Paget Toynbee's edition of the *Letters*.

next two years he did little, apparently, for at the close of 1768 he was still writing the first volume, having brought the narrative down only to March, 1764.<sup>9</sup> In January, 1769, the second volume was under way, and he was occupied with the events of the winter of 1765.<sup>10</sup> In July and August of 1769, we are told, he "finished two more books of my Memoirs for the years 1765, 1766".<sup>11</sup> In October, 1769, he was narrating the events of March, 1767, having nearly completed the second volume.<sup>12</sup> When he reached the end of the first Parliament of George III., March, 1768, which brought him to the end of chapter six of volume three, Walpole threw the work aside, having tired of it, and he did not know whether he would ever take it up again.<sup>13</sup> However, he did take it up again after the peace with Spain in 1771,<sup>14</sup> and completed the work sometime in 1772.<sup>15</sup> The larger part of the original draft was thus written in 1768-1769 and 1771-1772; and the editors<sup>16</sup> have left us to infer that the printed Memoirs are the same as the original draft which Walpole completed at that time. Such, however, is not the case. The original draft was revised as late as 1784, and evidence of this fact, which is as plain as printed dates can make it, is scattered from one end of the book to the other.

In the first place, many of the foot-notes with which Walpole supplemented the text allude to events that enable us to fix their composition subsequent to the composition of the original draft: some refer to dates earlier than 1772 but later than the date of the composition of the particular part of the text to which they are appended;<sup>17</sup> many refer to events subsequent to the year 1772; as, for example, to 1773, 1774, or 1775,<sup>18</sup> to the entrance of France into the American war,<sup>19</sup> to the loss of the colonies, or to the years 1783-

<sup>9</sup> *Memoirs*, I. 310.

<sup>10</sup> *Ibid.*, II. 53.

<sup>11</sup> *Notes of my Life*.

<sup>12</sup> *Memoirs*, II. 308.

<sup>13</sup> *Ibid.*, III. 107.

<sup>14</sup> *Ibid.*, p. 125.

<sup>15</sup> *Notes of my Life*.

<sup>16</sup> The Memoirs were first edited by Denis Le Marchant, who says in his preface that they were "printed exactly as the author left them, except that it has been thought right to suppress a few passages of indecent tendency". Mr. Barker printed his edition from the Le Marchant text and inserted most of the notes of Le Marchant. Yet he says nothing as to the time of writing the Memoirs except that "Walpole commenced the task of writing the Memoirs . . . on 18th August 1766, and finished them in 1772." Preface, p. xx.

<sup>17</sup> *Memoirs*, I. 139, 242, 281, 289; II. 11, 67.

<sup>18</sup> *Ibid.*, I. 113, 183; II. 191, 231, 237, 272, 280, 301; III. 24; IV. 13, 167, 169.

<sup>19</sup> *Ibid.*, II. 63; III. 253.



1784,<sup>20</sup> and there is one note that refers to the year 1786,<sup>21</sup> and two that refer to the year 1788.<sup>22</sup>

The revision of the *Memoirs* was not confined to the notes, however. In the third volume, page 24, there is a note in which Walpole says that the attempt to impose taxes on America has caused a civil war there, "whence is just arrived notice of the first bloodshed, as I transcribe these *Memoirs*—in June, 1775". In volume four, page 83, there is the following note: "This paragraph, from the words *and was disabled*, was added in July, 1784." These are the only references to any revision of the *Memoirs* that Walpole himself anywhere makes; and it might be inferred, therefore, that he simply copied out the original draft in 1775 and added part of a paragraph and some notes in 1784. But it is clear that the single paragraph which Walpole says was inserted in 1784 is not the only one inserted at that time, and it is probable that some insertions were made during the "transcribing" of 1775. Let us establish these points.

First, there are a number of passages, inserted after the original draft was finished in 1772, that may have been inserted in 1775. Volume one, page 16: "the revenues of the Crown were so soon squandered in purchasing dependants, that architecture, the darling art of Lord Bute, was contracted from the erection of a new palace to altering a single door-case in the drawing-room at St. James's." This part of the *Memoirs* was originally written in 1766, yet the palace which the king designed to build was not given up till 1771, as Walpole himself says in volume four, page 205. Volume one, page 164, originally written before 1769, contains a reference to Lord Kinnoul, who "came no more to London till the year 1770". Volume two, page 291: Lord Chatham "appeared no more in the House of Lords, really becoming that invisible and inaccessible divinity which Burke has described". This I suppose to refer to the speech on American Taxation, in which Burke paid his famous tribute to Lord Chatham. Volume three, page 21: Townshend's revenue plan of March, 1767, was adopted by the House "before it had been well weighed, and the fatal consequences of which did not break out till six years after". Volume four, page 18: "In 1775, on the Princesse de Lamballe being placed above the Princesse de Chimay", etc.

Second, the paragraph which Walpole takes pains to specify as being added in 1784 is not the only one that was added at that time. Volume four, page 54: "Lord North's conduct in the American war

<sup>20</sup> *Memoirs*, I. 305; II. 116, 242, 321; III. 24; IV. 69, 88, 92, 118, 142, 149, 154.

<sup>21</sup> *Ibid.*, I. 305.

<sup>22</sup> *Ibid.*, pp. 22, 86.

displayed all these features. He engaged in it against his opinion, and yet without reluctance. He managed it without foresight or address, and was neither ashamed when it miscarried, nor dispirited when the Crown itself became endangered by the additional war with France." Volume four, page 76: the king "not only preferred his personal influence to that of England, but risked, exposed, and lost a most important portion of his dominions". Volume four, page 85: "the subsequent transactions to the commencement of the new Parliament in 1784 have but corroborated my ideas. . . . the overt acts of the American war have but too sadly realized the more problematic suspicions I had entertained of the evil designs of the Court . . . and a more undisguised attempt in the Crown of governing independently having distinguished the year 1784", etc. Volume four, page 157: the king "lost his dominions in America . . . by aiming at despotism in England". Volume four, page 163: the court, "by a series of wretched measures . . . lost at once our colonies in America, and the empire of the ocean everywhere".

It is thus clear that Walpole inserted new matter in the *Memoirs* after the completion of the original draft in 1772. But we do not yet know whether he inserted much or little, or whether the insertions changed the character of the *Memoirs* in any important respect. These questions are more important than the questions already considered, as well as more difficult to answer. My own opinion is that the additions, though not considerable in amount perhaps, modified in an important way the interpretation of the reign of George III. embodied in the original draft. Besides the passages quoted above, there are others that express opinions very different from those we know Walpole held at the time the original draft was written; and in the case of some of these passages there is internal evidence confirming the supposition that they were inserted at a later time. These passages cannot be considered intelligently, however, until we know, independently of the *Memoirs*, what Walpole's opinions were at the time when he was writing the original draft and at the time when he was making the revision. Fortunately, Walpole was a confirmed letter-writer, and his letters, in the elaborate new edition of Mrs. Paget Toynbee, constitute what is practically a daily journal of events and of Walpole's opinions about them. It will be well, therefore, to sketch briefly, on the basis of the letters, what may be called the development of Walpole's political opinions—his strictly contemporaneous interpretation of the events of the reign of George III. But before doing this, it will not be out of place, since the letters are to furnish the material, to say a few words about the letters themselves as reliable sources of information.

Walpole says in one place that he does not write letters for amusement, but in expectation of returns.<sup>23</sup> Still, as he got few and unsatisfactory returns, the statement must be discounted. He wrote letters partly in expectation of returns no doubt, but also partly for amusement, and partly to produce an effect: it pleased him not so much to communicate information to his friends as to convince them that he knew a great deal worth communicating, and knew it at a very early hour—before it happened, if possible. This very desire, of course, inclined him to be accurate: he liked to tell his friends—Conway, and Hertford, and Sir Horace Mann—what they ought to do, and then have it turn out afterward that they ought in fact to have done just that. “Recollect that I understand this country pretty well,—attend closely to what passes,—have very good intelligence,—and know the characters of the actors thoroughly”, he writes to Hertford.<sup>24</sup> Yet he warns him, too: “I tell you what I *hear*, and do not answer for truth but when I tell you what I *know*.”<sup>25</sup> And the fact is that the letters no less than the Memoirs must be used with some caution. Walpole more than most people perhaps regarded the person to whom he was writing and not infrequently wrote what was in his correspondent’s mind to hear rather than what, strictly, was in his own to say. The fulsome letters to Voltaire are instances in point.<sup>26</sup> They are what Walpole himself called “civil” letters.<sup>27</sup> The ethics of letter-writing was indeed not high in the eighteenth century, and Walpole was not above forging the name of the King of Prussia for the purpose of playing what would now be regarded, at the very least, as a contemptible practical joke on Rousseau.<sup>28</sup> To be sure, these were not his friends. But even in his letters to Sir Horace Mann he kept in mind the official connections of that gentleman, and often wrote accordingly.<sup>29</sup> The most important consideration, however, in this respect is the insecurity of the public post of that day. “I firmly believe every tittle I have uttered”, he writes to Mann.<sup>30</sup> “Never have I deceived you

<sup>23</sup> *Letters*, V. 165.

<sup>24</sup> May 24, 1765. *Ibid.*, VI. 244.

<sup>25</sup> April 5, 1764. *Ibid.*, p. 43.

<sup>26</sup> *Ibid.*, VII. 199, 206.

<sup>27</sup> *Notes of my Life*. In a letter to Thomas Walpole, he says that the return of Temple “will greatly facilitate everything”. *Letters*, VII. 24. This was intended for the eye of William Pitt. But *cf.* the letter to Mann. *Ibid.*, VII. 32. Walpole wrote, in like manner, “civil” letters to Hume, Grafton, Newcastle, and others. *Cf. ibid.*, V. 382; VI. 301, 332; X. 27.

<sup>28</sup> For Walpole’s justification of the letter, see *Letters*, VII. 31, 66, 68. The affair is treated at length by Morley. *Rousseau*, II. 287.

<sup>29</sup> *Letters*, V. 77; VI. 64; IX. 276.

<sup>30</sup> *Ibid.*, X. 435.

knowingly. I mean, when I have written by a safe hand—by the post, one colours over some things, even because one's letters may be opened by foreign enemies." On the accession of Conway to office, he writes joyously:<sup>31</sup> "This is the first moment that I have enjoyed *the liberty of the post* for these three years. We may say what we will; I may launch out, and even *you* need not be discreet, when our letters pass through *Mr. Conway's office*." The letters contain ample evidence, indeed, that Walpole wrote freely on political matters only when his letters were conveyed by private hand.<sup>32</sup>

With these facts in mind, one may gather from the letters an accurate enough idea of Walpole's political opinions. Not much credit need be given to the statement, often repeated, that he cares nothing about politics, is indifferent to both parties, and wishes only to retire to Strawberry and solitude. It is plain that he cannot retire, except when the gout compels him, but must be always running up to London when Parliament is in session. The son of Robert Walpole loved "big politics" and "thundering revolutions", and would have liked nothing better than to be in the centre of the stage.<sup>33</sup> But he was not in the centre of the stage—was hardly, except once, even in the wings—and not being there, was determined above everything that no one should suppose he cared two straws about it. In fact, Walpole was an Englishman to the core, and for what he considered the welfare of England he cared immensely—more, perhaps, than he was himself aware.<sup>34</sup>

The welfare of England, indeed, in Walpole's eyes, was often threatened. England had always her evil genius, and her history was mainly a decline and fall from the golden age of Sir Robert's administration.<sup>35</sup> During the reign of George II., this evil genius was the house of Pelham, which had replaced the house of Walpole. Therefore he admired Pitt as minister, though he had had only sar-

<sup>31</sup> *Letters*, VI. 265.

<sup>32</sup> See especially the long letter to Hertford, January 22, 1764. *Ibid.*, V. 437. Cf. with *ibid.*, p. 406. For further evidence on this point, see *ibid.*, V. 77; VI. 2, 8, 20, 66, 95, 110, 112, 139, 175, 176, 214, 224, 230, 241, 246, 357, 362, 371; VII. 151, 199, 351, 548; VIII. 58; IX. 81, 276; X. 309; XI. 449; XII. 118, 195.

<sup>33</sup> *Ibid.*, VII. 2.

<sup>34</sup> "I have hoped or feared; but always in the same spirit—the liberty and happiness of England." *Ibid.*, X. 233. "How many wretches have I lived to see England escape! Thank God I am not philosopher enough not to be grateful for it." *Ibid.*, VI. 446. "Two years ago I meditated leaving England if it was enslaved. I have no such thought now. I will steal into its bosom when my hour comes, and love it to the last." *Ibid.*, X. 285. Many such quotations could be made. Cf. *ibid.*, V. 259; VII. 29, 193, 363.

<sup>35</sup> *Ibid.*, VIII. 345; X. 284, 314, 315, 317, 325, 335; XI. 102; XII. 195, 405; XIII. 87, 312, 313.



casms for Pitt as "Patriot", because Pitt seemed inclined to ride rough-shod over the house of Pelham and the whole corrupt aristocracy. For the same reason the attitude of "Leicester House" towards the old king and his ministers was highly amusing. It is thus no gloomy prospect that opens up to Walpole at the accession of George III.<sup>36</sup> The existence of a "favorite" does not alarm him;<sup>37</sup> and as for the "ambitious designing woman" whom we read of in the *Memoirs*, why, he thinks "no petticoat ever governed less; it is left at Leicester House."<sup>38</sup> If the gracious young king, who has such "good dispositions",<sup>39</sup> can accomplish what Pitt has only begun, all will be well.<sup>40</sup> And how much better if he can do this and make peace at the same time; peace is the dearest wish of his heart, and he will be satisfied with even a bad one.<sup>41</sup> Best of all, if the house of Pelham is broken, may not the house of Walpole again count for something?<sup>42</sup>

From the end of 1762 this bright prospect begins to cloud over a little. The preparations of Lord Bute for carrying the peace do not please him. He cannot see into the storm, is sorry Fox has taken position, thinks Bute's "game" not so easy, and sees him tottering to his fall.<sup>43</sup> So little inclination did the administration show towards the house of Walpole that Walpole's own exchequer bills were delayed;<sup>44</sup> and Fox, failing to bribe him for his vote on the peace, granted the reversion of his place to "young Martin".<sup>45</sup> Still, Walpole can but rejoice, since peace is made.<sup>46</sup> In the humiliation of Devonshire, and the drastic treatment of Newcastle's friends, he sniffs "prerogative" to be sure,<sup>47</sup> but he has long seen the growing power of the aristocracy, and, while not wishing to have the king predominate, is convinced that only the crown can curb the House of Lords, and consoles himself with the thought that perhaps it will

<sup>36</sup> "The truth was, I had been civilly treated on the King's accession, and had so much disliked Newcastle and Hardwicke, that few men were better pleased than myself to see a new administration." *Memoirs*, I. 167.

<sup>37</sup> *Letters*, IV. 442, 447, 449; V. 2, 11, 16, 29, 35, 211, 213, 218.

<sup>38</sup> *Ibid.*, IV. 455.

<sup>39</sup> *Ibid.*, V. 46. "The King is good and amiable in everything he does." *Ibid.*, 8; see also, *ibid.*, IV. 449, 455; V. 12.

<sup>40</sup> *Ibid.*, IV. 442, 447, 449, 453, 455; V. 3, 9, 10, 12, 47, 141, 207, 208.

<sup>41</sup> *Ibid.*, V. 47, 48, 71, 73, 74, 83, 98, 114, 123, 124, 141, 144, 148, 164, 210.

<sup>42</sup> *Ibid.*, V. 2, 11, 12, 13, 27, 30, 34. Walpole doubtless expected recognition for Waldegrave, who was the king's tutor when Prince of Wales, and a relation of Walpole. Cf. *ibid.*, pp. 306, 308.

<sup>43</sup> *Ibid.*, V. 261-267, 278, 290.

<sup>44</sup> *Ibid.*, pp. 288, 292.

<sup>45</sup> *Ibid.*, pp. 275, 309. Cf. *Memoirs*, I. 168, 169.

<sup>46</sup> *Letters*, V. 271.

<sup>47</sup> *Ibid.*, pp. 271, 273, 283.

at last be able to do so.<sup>48</sup> In any case, there is no danger from prerogative in the hands of men like Bute and Fox, since the plans of five months have been overthrown by a fortnight's panic.<sup>49</sup> Walpole's ill-humor at this time is not due to any fear for the constitution, but to real or fancied affronts which the ministers had put upon him. In the time of the Wilkes affair of 1763-1764, he nevertheless has his revenge. He is in the best of spirits, and the whole situation appeals to him as subject for Homeric laughter.<sup>50</sup> To be sure, he would die for the privileges of the House of Commons, and for the liberty of the press; the principle involved is a vital one;<sup>51</sup> but the opposition is so united and the ministry so divided and incompetent that there is not the least danger of arbitrary power.<sup>52</sup> The letters at this time are a veritable paean of victory; it is a victory in a factional squabble, with serious constitutional questions looming up no doubt, but still low on the horizon and giving little concern.

In April, 1764, the political sky is again overcast. Whig principles are at stake, as they were in 1688.<sup>53</sup> But it is not American affairs, which he understands no more than Hebrew,<sup>54</sup> that occasion the danger; it is the dismissal of Conway for his vote on general warrants.<sup>55</sup> From now on, Grenville is the man of "rotten heart",<sup>56</sup> whose ruin Walpole will gladly see. Prerogative is so far from being a danger that it is itself in danger. The Regency Bill arrayed Bute and Holland against Grenville and Bedford, and Walpole hopes Bute will win—would, if he were Bute, deliver himself bound hand and foot to Pitt rather than submit to such wretches as Grenville.<sup>57</sup> He sees with apprehension all the great families arrayed on one side or the other. It is again a scene of Bohuns, Montforts, and Plantagenets.<sup>58</sup> In the midst of these struggles the king is insulted and his family disgraced.<sup>59</sup> The mob rises and civil war threatens.<sup>60</sup> It is not the prerogative but the aristocracy and the mob that Walpole fears: prerogative is "grown so tame that you may stroke him".<sup>61</sup>

<sup>48</sup> *Letters*, V. 273.

<sup>49</sup> *Ibid.*, pp. 301, 304, 312.

<sup>50</sup> *Ibid.*, pp. 294, 320, 322, 389, 391, 396.

<sup>51</sup> *Ibid.*, pp. 384, 400.

<sup>52</sup> *Ibid.*, V. 452, cf. 438; VI. 7, 12.

<sup>53</sup> *Ibid.*, VI. 97.

<sup>54</sup> *Ibid.*, pp. 168, 186.

<sup>55</sup> *Ibid.*, pp. 59, 61, 117.

<sup>56</sup> Expression used in the *Memoirs*, I. 215. Cf. *Letters*, V. 437.

<sup>57</sup> *Letters*, VI. 214, 219-223, 225-228, 229, 231.

<sup>58</sup> *Ibid.*, pp. 247, 249, 250.

<sup>59</sup> *Ibid.*, p. 249.

<sup>60</sup> *Ibid.*, pp. 238-241, 243.

<sup>61</sup> *Ibid.*, p. 251.

In July, 1765, the "great and happy change" to the Rockingham ministry is effected.<sup>62</sup> The four tyrants are gone,<sup>63</sup> and Walpole, having worked night and day to get his friends in, runs off to Paris for a holiday, sore indeed that he has no recognition for his pains, but satisfied at least that the constitution is in safe hands.<sup>64</sup> True, Pitt does strange things, such as declaring against the right of Parliament to tax America,<sup>65</sup> and Bute shows a tendency at times to negotiate with Grenville.<sup>66</sup> But on the whole Bute and the king remain firm for the ministry, and when Pitt comes in the prospect for a strong and stable government is excellent.<sup>67</sup> The repeal of the Stamp Act pleases Walpole because it is "satisfactory for the Ministry" and because it puts Grenville "in the mire".<sup>68</sup> At the end of 1767, in spite of "unpleasing" accounts from America—Massachusetts Bay having "irreverently" assumed the powers of Parliament<sup>69</sup>—and although Rockingham stupidly joins the rogue Grenville,<sup>70</sup> and Temple has a long foot for kicking up a dust,<sup>71</sup> the ministry is nevertheless still firm, opposition "scarce barks", America is "pacified";<sup>72</sup> these times, in fact, interesting now, will hereafter appear "most inconsiderable".<sup>73</sup>

The next year Wilkes reappears. Walpole thinks he will sink in contempt, but still the mob spirit waxes strong, and he is sorry to see a wealthy nation running riot.<sup>74</sup> America, too, is a "disagreeable prospect", but he never reads the reports and is glad to have nothing to do with that affair.<sup>75</sup> In 1769 Wilkes is finally expelled and Walpole sees controversies of a hundred years ago revive.<sup>76</sup> In May Wilkes seems altogether forgotten, but in November and December the rage for petitioning brings him to the front again, and Walpole is once more exercised for the safety of the constitution, which the mob is now led on to destroy. Yet he consoles himself with the thought that he has seen the Pretender at Derby, and the Lords striding to power at the close of the last reign and the king

<sup>62</sup> *Letters*, VI. 264.

<sup>63</sup> *Ibid.*, p. 265.

<sup>64</sup> *Ibid.*, pp. 266, 294, 303, 311, 330, 337, 343, 351, 362-364.

<sup>65</sup> *Ibid.*, p. 417.

<sup>66</sup> *Ibid.*, pp. 417, 418, 421.

<sup>67</sup> *Ibid.*, VII. 30, 32, 78, 84, 86, 89, 92, 95, 96.

<sup>68</sup> *Ibid.*, VI. 445, 446.

<sup>69</sup> *Ibid.*, VII. 100, 102.

<sup>70</sup> *Ibid.*, p. 122.

<sup>71</sup> *Ibid.*, p. 32.

<sup>72</sup> *Ibid.*, pp. 119, 122, 123, 141, 147.

<sup>73</sup> *Ibid.*, p. 115.

<sup>74</sup> *Ibid.*, pp. 176, 184, 186, 187, 188, 196, 197, 204.

<sup>75</sup> *Ibid.*, pp. 208, 217, 226, 235, 247.

<sup>76</sup> *Ibid.*, pp. 253, 257, 268.

at the beginning of this; and why should the people, less formidable than either the king or the aristocracy, succeed where they have failed? These vacillations doubtless only show the excellent poise of the constitution after all.<sup>77</sup> And so, sure enough, it turned out. Chatham can no longer charm in the Lords; opposition fails likewise in the Commons; the mighty bluster of petitions ends happily, and civil war gives place to subscription masquerades.<sup>78</sup>

Through the years 1771-1772, Walpole was convinced that the safety of the constitution depended upon the success of the court. With the accession of Lord North in February, 1770, the prospect was much improved. Of Lord North, indeed, Walpole has a high opinion: he is active, assiduous, resolute, and fitted to deal with mankind; he has "very good parts, quickness, great knowledge"; he sees that it is much easier "for a King of England to disarm the minds of his subjects than their hands".<sup>79</sup> In fact North carried them through a serious crisis, and before the end of 1770 Walpole was able to record with pleasure that the spirit of martyrdom was pretty well burnt out, that Wilkes had finally failed, and that the opposition was crumbling away.<sup>80</sup> The treaty with Spain "is an epoch; and puts a total end to all our preceding histories".<sup>81</sup> "For my part, I reckon the volume quite shut in which I took any interest. The succeeding world is young, new, and half unknown to me."<sup>82</sup> "Thus all our storms are blown over, except in Ireland, and that does not seem to threaten much. . . . What ten years of vexation might have been avoided if folks would have adhered to my father's maxim of *Quieta non movere!*"<sup>83</sup> Through the quiet years from 1771 to 1773 Walpole maintains the same attitude. In June, 1773, he hopes Lord North will not resign, for "he is an honest and a moderate man".<sup>84</sup> The "insurrection in the Massachusetts" concerns him not at all; he cares only for the present, and the present is very calm.<sup>85</sup> As late as February, 1774, he can say no more than that "if all the black slaves were in rebellion, I should have no doubt in choosing my side, but I scarce wish perfect freedom to merchants who are the bloodiest of all tyrants."<sup>86</sup>

<sup>77</sup> *Letters*, VII. 280, 328, 343, 345, 347.

<sup>78</sup> *Ibid.*, pp. 249, 349, 359, 366.

<sup>79</sup> *Ibid.*, pp. 371, cf. 361-363, 368, 372, 375-378.

<sup>80</sup> *Ibid.*, pp. 383, 386, 387, 418-420.

<sup>81</sup> *Ibid.*, VIII. 12.

<sup>82</sup> *Ibid.*, p. 14.

<sup>83</sup> *Ibid.*, p. 121.

<sup>84</sup> *Ibid.*, p. 290.

<sup>85</sup> *Ibid.*, p. 419.

<sup>86</sup> *Ibid.*, p. 423.



From this account of Walpole's political opinions during the time he was writing the original draft of the *Memoirs*, there emerge, I think, four important points. (1) Walpole was an old-fashioned Whig,<sup>87</sup> who believed that the safety of the state depended upon maintaining a proper balance between the three parts of the constitution—king, Lords, and Commons. He feared anything which tended to disturb this balance. (2) He had no settled convictions during this period that either king, Lords, or Commons was steadily growing in power; it was now the crown, now the aristocracy, and now the mob that he feared. (3) So far from perceiving any settled plan on the part of the king for increasing the prerogative, the danger from the crown was the least of the three; the only time the crown seemed to predominate was in 1762–1763, before he began to write the *Memoirs*; during the whole time he was writing the *Memoirs*, what he most feared was the factional strife of the great families on the one hand, and the mob spirit stirred up by the merchants or intriguing politicians on the other. The king was to be pitied for his weakness rather than feared for his strength. (4) Walpole's vacillation in these matters was due in no small measure to personal interests. The man or faction that stood in the way of what he wanted for his friends, or thought necessary for any reason, became straightway a danger to the constitution; the same man or faction aiding, was its friend. Of all his fears and animosities, the king, Bute, the Scots, the Tories, the princess, and Lord North were on the whole the least.

With the outbreak of the American war, however, there came a striking change in Walpole's point of view. It was in June, 1775, when he reached page 24 of the third volume in the "transcribing" of 1775 that he learned of the first bloodshed. This is almost precisely the period when he first took a definite stand as to that event; and from this date his opinions never change.<sup>88</sup> He regards the Americans as his countrymen who are fighting for liberty against the attempt of the king, aided by the Scots and the Tories, to establish despotism over the whole empire. The house of Hanover is playing the same game that the house of Stuart formerly tried to play. The king has staked all against the hope of absolute power, and the nation, deluded by the ministry, is working for its own ruin.

<sup>87</sup> Walpole called himself an old-fashioned Whig. *Letters*, X. 262, 273; XII. 284, 285; XIII. 86.

<sup>88</sup> The first letter in the decided tone that prevails throughout the war is to Mann, September, 11, 1775. "What a paragraph of blood is there!", etc. *Letters*, IX. 247. Cf. this with the earlier letters of 1774 and 1775. *Ibid.*, pp. 81, 99, 106, 109, 127, 133, 153, 227.

Whether the government succeeded or failed, the result would be ruin: in the one case, liberty was gone; in the other, commercial empire. He blushes to be an Englishman, a countryman of the majority, and can no longer love what does not deserve esteem. To have squandered away such an empire for the hope of despotic power was the maddest project yet attempted by English kings; and when America wins, Walpole rejoices that she at least will be free though England may not be. The famous resolution of April 6, 1780, he adopts as a part of his Revolution creed, and would have added to Magna Carta that whenever the influence of the crown "has increased and is increasing, it ought to be diminished".<sup>89</sup> During the eight years of the war these ideas are repeated over and over again, and in a tone of bitterness and reviling that not infrequently borders on frenzy. The danger from the aristocracy and the mob has altogether disappeared; the king and his tools, the Scots, the Tories, and the clergy, now loom so large that they fill the entire field of vision.<sup>90</sup>

We may now proceed to examine some passages in the *Memoirs* for the purpose of determining the probable extent of the revision. It is obvious to begin with that the opinions expressed in the letters will be of use only with respect to the revision of 1784, since there was no marked change in Walpole's opinions until after the revision of 1775 had been largely accomplished.<sup>91</sup> But wherever opinions in the *Memoirs* disagree with those of the letters before 1775, and at the same time correspond closely with the opinions of the letters after 1775, it may be assumed that the passage in question was inserted during the revision of 1784, both because the letters after 1775 differ so greatly from those before that date, and because the passages in the *Memoirs* which we know were inserted in 1784 do in fact correspond closely with the letters of the later date. Now it will be recalled that all the passages which we know positively to have been inserted in 1784 are found in the fourth volume. This fact suggests that possibly the revision of 1784 was confined to that volume. It will be well, therefore, to take up those passages in the last volume that show evidence of revision, before taking up any in the first three.

<sup>89</sup> *Letters*, XI. 149.

<sup>90</sup> The following references are a few of the many that might be given. *Ibid.*, IX. 244, 247, 266, 274, 278, 342, 369; X. 9, 10, 49, 129, 163, 166, 191, 262, 421, 432; XI. 30, 43, 121, 149, 222, 232, 414; XII. 72, 141, 178, 183, 195, 204, 320, 412; XIII. 86, 131, 255. The effect of the war upon Walpole's opinion of North, Bute, Burke, Pitt, and especially of everything Scotch, may be seen in the following. *Ibid.*, X. 207, 233, 260, 284, 311, 328; XI. 21, 30, 222, 235, 376, 384; XII. 72, 118, 183, 245, 288, 420.

<sup>91</sup> Recall that Walpole had reached page 24 of volume three in the first revision, in June, 1775. *Memoirs*, III. 24. And for his opinion on the war at that time, see references given in note 88 above.

One of the most striking changes in Walpole's opinions was in respect to Lord North, and the Memoirs reflect this change so perfectly that one has little difficulty in distinguishing the later insertions from the original draft. It is at page 50 of the fourth volume that Walpole first takes up the North ministry, and we find to begin with that "Lord North had neither connections with the nobility, nor popularity with the country, yet he undertook the Government in a manly style." He "plunged boldly into the danger at once. . . . If the Court should be beaten, the King would be at the mercy of the Opposition, or driven to have recourse to the Lords—possibly to the sword. All the resolutions on the Middlesex election would be rescinded, the Parliament dissolved, or the contest reduced to the sole question of prerogative. Yet in the short interval allowed, Lord North . . . the Scotch and the Butists . . . had been so active . . . that at past twelve at night the Court proved victorious." This is precisely in the tone of the letters of 1770—might, indeed, have been copied from them almost word for word.<sup>92</sup> At page 52, however, Walpole begins a long description of North which, opening with some remarks that might have been part of the original draft, rapidly takes on the tone of 1784. The first nine lines are devoted to a brilliant description of North's personal appearance, which, Walpole says, "disgusted all who judge by appearance, or withhold their approbation till it is courted. But within that rude casket were enclosed many useful talents. He had much wit, good-humour, strong natural sense, assurance, and promptness, both of conception and elocution [execution?]. His ambition had seemed to aspire to the height, yet he was not very ambitious. He was thought interested, yet was not avaricious." All this sounds much like the letters of 1770; but from this point a different tone begins to appear.

He had lent himself readily to all the violences of Mr. Grenville against Wilkes . . . and with equal alacrity had served under the Duke of Grafton . . . It was in truth worth his ambition, though he should rule but a day, to attain the rank of Prime Minister. He . . . seemed to have all necessary activity till he reached the summit. Yet that industry ceased when it became most requisite. He had neither system, nor principles, nor shame; sought neither the favour of the Crown or of the people, but enjoyed the good luck of fortune with a gluttonous epicurism that was equally careless of glory and disgrace. His indolence prevented his forming any plan. His indifference made him leap from one extreme to another; and his insensibility to reproach reconciled him to any contradiction. He proved as indolent as the Duke of Grafton, but . . . he was less hurt at capital disgraces than the Duke had been at trifling difficulties.

Then comes the passage already quoted: "Lord North's conduct in

<sup>92</sup> *Letters*, VII. 362, 364, 372.

the American war displayed all these features"; and there are two pages more of the same kind of comment.<sup>93</sup>

Immediately following the description of North, there is a paragraph devoted to the other ministers, which was obviously written at the same time; the tone is very bitter, and Elliot and Dyson are mentioned as having died during the American war. The paragraph at page 57 belongs to the same period, I think, for Walpole mentions with regret that although the "Ministers were teased within, and the King from without, Lord Chatham was always baffled in the Lords, Dowdeswell, Burke, and Grenville in the Commons; nor could Wilkes in the City keep up more than an ineffectual flame." In the letters, on the contrary, Walpole records with pleasure that the court is successful in spite of the efforts of Chatham in the Lords, of the Opposition in the Commons, and of Wilkes in the City.<sup>94</sup> From this point the *Memoirs* return to the manner of 1771, which prevails until page 70, where the Luttrell affair is summed up as "a speaking lesson to Princes and Ministers not to stretch the strings of prerogative! The whole reign of George the Third was a standing sermon of the same kind; and the mortifications I have been recounting were but slight bruises compared to the wounds he afterwards received."<sup>95</sup>

At page 83 we come to the paragraph to which is appended the note already quoted: "This paragraph, from the words *and was disabled*, was added in July 1784." From the words indicated to the end of the paragraph is a matter of only nine lines. But it is clear that not only these nine lines but the two following paragraphs to the top of page 86 were added at the same time. At the point where Walpole has appended the note quoted above the text reads as follows: "The truth of these observations will appear from some remarks that I think it necessary to make on a pamphlet which made much noise at the time of which I am writing, and the effects of which, though the treatise may be forgotten, are felt at this day, that essay having operated considerably towards dividing . . . the Opposition, which afterwards . . . was reduced to the shadow of resistance, and was disabled", etc. The rest of the paragraph and the two following are devoted to a diatribe on the danger from the prerogative, the insidious designs of the king, and the lessons of the American war. It is only at page 85 that we finally learn the title of the pamphlet about which he wishes to make some remarks. The transition comes in the middle of a paragraph, and is abrupt enough to justify quot-

<sup>93</sup> Cf. *Letters*, XII. 245, 420.

<sup>94</sup> *Ibid.*, VII. 349.

<sup>95</sup> Cf. this with *ibid.*, VII. 345.



ing. "He [the author] has written prodigiously too much, if no man shall be the wiser for his writings. He laments not his pains, nor shall deprecate censure if a single person becomes a real patriot, or a better citizen from perusing this work—of which he himself is heartily tired. Mr. Edmund Burke had published, on the 23rd of April, a long and laborious pamphlet, called *Thoughts on the Present Discontents*", etc.<sup>96</sup>

A final example from the fourth volume will suffice. At the top of page 157, Walpole says: "Still was the surprise of mankind extreme, when, on the 16th, it was known that Lord Weymouth had resigned the Seals—a mysterious conduct, increased by his own obstinate silence", etc. In the next few lines, Walpole explains that the resignation probably did not mean that Weymouth would go into opposition, for a lucrative place was at once granted to his brother; "the weak measures of the Court having reduced them to be afraid of a man who had quitted them only from fear". Having said that the resignation was "mysterious", Walpole now says that it was

<sup>96</sup> The whole paragraph on page 83, the one to which Walpole has appended the note quoted above, shows some indications of having been written partly in 1771-1772, partly in 1775, and partly in 1784. The paragraph begins on page 82, thus: "Those vague and unconcerted attacks wore out the spirit of redress, instead of keeping up its zeal. The several factions hated each other more than they did their common enemies, and most of the leaders of Opposition had, in their time, contributed to the grievances of which they now complained. It must, I think, appear evident, from the scope of the reign, that the Princess Dowager and Lord Bute had assumed the reins with a fixed intention of raising the prerogative", etc. There seems little connection between the last sentence and the one preceding. The theme of the princess and Bute and the prerogative is elaborated for a page, until, in the middle of page 83, we come to the sentence already quoted: "The truth of these observations", etc. Now, the "remarks" which Walpole finally (p. 86) makes on Burke's pamphlet do not confirm the "observations" just made on the princess, Bute, and the prerogative, but go to show that the real evils of which Burke complained—the "Discontents"—had their origin in the factional struggles of the reign of George II.; the "remarks" which Walpole makes, that is, confirm the truth of the first two sentences of the paragraph, that "most of the leaders of Opposition had, in their time, contributed to the grievances of which they now complained." Further, Walpole says that though the pamphlet in question may be forgotten, its effects are "felt at this day". He would hardly have said that, if writing in 1771-1772, for the pamphlet was published in 1770. If, however, Walpole was writing in 1775, the expression would be perfectly natural. I think it very likely that the original draft ran as follows. "... and most of the leaders of Opposition had, in their time, contributed to the grievances of which they now complained. [Insertion of 1784 to middle of page 83.] The truth of these observations will appear from some remarks that I think it necessary to make on a pamphlet which made much noise at the time of which I am writing, and the effects of which [insertion of clause 1775] operated considerably towards dividing, and consequently weakening the Opposition. [Clause to "resistance" inserted, 1775.] [Two pages inserted in 1784.] Mr. Edmund Burke had published, on the 23rd of April", etc.

due to fear. The next sentence is: "Such was the complexion of the King's whole conduct", and the rest of the paragraph is devoted to explaining that such conduct ended in the loss of the American colonies. The next paragraph begins: "The secret motives of Lord Weymouth's resignation were these"; and the paragraph is devoted to explaining what he has just said was "mysterious". The explanation given is that Weymouth, thinking that the king favored war with Spain, had gone in for it strongly, and, supported by Wood, had thrown "every damp on the negotiation"; but when North and the Scots, fearing the return of Chatham in case of war, brought the king back to a peace policy, Weymouth, "who would not have hesitated to change his language had he thought peace could be effected, chose rather to waive his ambition than his security", and resigned. Thus Walpole understands perfectly the conduct of Weymouth and knows perfectly that Wood encouraged him in favoring war. From this point, five pages follow, in which Walpole describes Weymouth at length in order that it may be understood hereafter how such a man could be the "hinge on which so important a crisis turned". This digression ends at page 163 with a reference to the loss of "our colonies in America, and the empire of the ocean everywhere". The very next paragraph begins: "I return to Lord Weymouth's resignation." Why return to it, when it had been so fully discussed? For the purpose, apparently, of explaining it once more, or rather of offering a few inconclusive conjectures on the subject. Here we learn that Weymouth, "*Lord Chatham's friends asserted*", had advised making reprisals on Spain: whether authorized or prompted by Wood, and whether to drive the resigner into opposition, I know not. Certain it is, that he had advised recalling Mr. Harris, our Minister, from Madrid", etc. Thus the resignation has again become the "mysterious" affair that Walpole asserted it to be on page 157; Weymouth's attitude on the Spanish war rests on the assertion of Chatham's friends; and Wood's part in the matter is not known. Yet between page 157 and page 163 Walpole has explained all these points with great precision. If we cut out everything from the words "nor should resign with him", on page 157, to the words "*Lord Chatham's friends asserted*", on page 163, and insert after the word "asserted" the words "that he had", the continuity and consistency of the whole is perfect.

These are not the only passages in the fourth volume that show evidence of having been inserted in 1784; but they are the most important ones, and the only ones, perhaps, with respect to which the evidence is altogether convincing.<sup>97</sup>

<sup>97</sup> Cf., for example, *Memoirs*, IV. 1, with *Letters*, VII. 345.

It has now been shown that the *Memoirs* were revised as late as 1784, and that in this revision a considerable amount of new material was inserted in the fourth volume; a more difficult question now presents itself—was the revision of 1784 confined to the fourth volume? To what extent the first three volumes were revised in 1784, and the general significance of the revision as a whole, will be considered in the second part of this article.

CARL BECKER.

## THE BRITISH ATTITUDE TOWARD THE OREGON QUESTION, 1815-1846

THE Oregon question, which agitated the minds of our people for nearly a generation, bore, like most international problems, a double set of characteristics, the one theoretical, the other practical. Theoretically, it was a question which of two nations, the United States or Great Britain, would succeed in establishing its sovereignty over the region west of the Rocky Mountains, stretching from California in the south to Alaska in the north, or from the parallel of forty-two degrees to the line of fifty-four degrees and forty minutes. Practically, the problem was to determine in what manner and on what principles the territory should be shared by the two claimant states—in common parlance, a boundary question.

At the time when the issue was first joined, 1815, each of the two nations had an honestly acquired interest in that country based on historical developments of no slight importance. Great Britain entered first, through the door of maritime exploration and the deep-sea fur-trade, both of which activities were inaugurated, so far as the Northwest Coast is concerned, by Captain James Cook in his celebrated Third Voyage.<sup>1</sup> Cook's leading object was to discover a passage from the Pacific to the Atlantic; this—had it proved attainable—would have crowned the policy, already well developed, of making the Pacific, with its teeming islands, numerous primitive peoples, and the circumjacent nations of the Orient, a trade preserve of Great Britain.<sup>2</sup> It would probably have determined the political destiny of the Northwest Coast. In the space of fifteen years, dating from Cook's voyage, British navigators were ready to give the world a fairly complete map of that coast, the result in part of surveys ordered by the government and in part of more or less systematic observations made in the course of trade.<sup>3</sup> During the same inter-

<sup>1</sup> See Cook's *Voyage*, 1776-1780 (London, 1784).

<sup>2</sup> See on the evolution of Britain's policy of exploring the Pacific, the present author's paper entitled "The Acquisition of Oregon, Part I., Exploration and Discovery", in the *Bulletin of the University of Oregon*, new series, vol. VI., no. 3, December, 1908.

<sup>3</sup> See Vancouver's map (*Voyages*, London, 1799) which includes results partly published previously in the *Voyages* of Portlock, Dixon, and Meares. Vancouver had been directed to the mouth of the Columbia by Gray, an American trader who entered the river May 11, 1792; Spanish navigators co-operated with him in the mapping of the Puget Sound region.



val, British subjects in Canada, concerned with the extension of the inland fur-trade, pushed their commercial frontier into the Rocky Mountains, and one of their leaders, Alexander Mackenzie, had opened a line of communication, albeit a difficult one, to the Western Ocean.<sup>4</sup>

The American nation had, through its citizens, participated in the deep-sea fur-trade, at first timidly, then boldly, and at last, for a brief space, in an almost monopolistic fashion. One of their earliest traders had the good fortune to discover the entrance to the Columbia River, the dominant geographic feature of the Oregon country. And before the generation which acquired independence had passed from the stage, the American interest in the region west of the Rocky Mountains and in the commerce of the Pacific seemed to justify the national exploring expedition under Lewis and Clark to trace the course of the Columbia to the sea, and establish the line of connection between its head waters and those of the Missouri. A gigantic trading concern, headed by John Jacob Astor, an American citizen, following in the footsteps of the American explorers, fixed its entrepôt at the mouth of the Columbia in the hope of monopolizing the fur-trade of the entire region watered by that river system and of the adjacent coasts both north and south. This company had encountered an active, though not an entrenched, British opposition from traders of the North-West Company located on the upper waters of the Columbia. The accident of war, disturbing the natural course of commercial development on the Pacific, substituted the British for the American company as the controlling influence in that region.<sup>5</sup>

The facts just stated, typical though not exhaustive,<sup>6</sup> exhibit a situation boding strife. For it was not to be expected that Great Britain, always under the goad of commercial ambition, would at our mere suggestion relinquish her interests in that quarter, especially since the war had resulted in placing her people temporarily in

<sup>4</sup> Mackenzie's *Voyage*, including the account of his exploration of Mackenzie River in 1789 and his journey to the Pacific in 1792-1793, was published at London in 1801.

<sup>5</sup> The classic account of the Astoria enterprise and the transfer of Astor's posts to the North-West Company is Irving's *Astoria*, which is based upon materials furnished by Mr. Astor. A condensed account may be conveniently read in the author's *History of the Pacific Northwest*, chapters vii. and viii. The note at the end of chapter viii. mentions most of the sources now accessible.

<sup>6</sup> No mention has been made, for example, of the Nootka Convention of 1790, between Great Britain and Spain, by which Great Britain gained an acknowledged right to "trade and make settlements in" any part of the country north of California. For a full account of the Nootka Controversy see W. R. Manning in the *Annual Report of the American Historical Association* for 1904, pp. 281-477.

control of the rich Columbia River fur-trade. As to the Americans, every circumstance touching their recent participation in far western affairs—the Lewis and Clark expedition, the Astor enterprise, the involuntary retirement from the Columbia under the pressure of war—negated the idea of acquiescence in a permanent British occupation. Momentary, accidental eclipse could hardly blur the fact, deducible from considerations of our national expansion westward, that the American interest in Oregon was in reality waxing, not waning.

It should have required no exceptional insight to predict in 1815 that the solution of the problem presented in the conflicting claims of the two nations must be found in compromise, in the division between them of the territory to which, in its entirety, each asserted rights; and, despite the voluminous arguments to prove a superior title to the whole, each of the claimants practically recognized from the outset the inherent necessity of an accommodating mode of adjustment and each was prepared to concede a definite basis of settlement on that principle. The problem, from the opening of the discussion to its close, was to bring into agreement two divergent proposals of compromise. During three decades, the United States stood ready to accept the forty-ninth parallel as the frontier, while Great Britain insisted on the Columbia River from its intersection with the forty-ninth parallel to the sea.

These pretensions, on the one hand as on the other, were the expressions of national interests regarded as permanent, and they are found to be rooted in conditions antedating the emergence of the Oregon question proper. For Britain two distinct lines of commercial endeavor met in the Oregon country—the coastal trade, supporting her general commerce in Pacific waters and especially with China, and the continental fur-trade. The first had declined during the European wars but it was susceptible of indefinite development, especially if the continental trade could be linked with it after the manner in which the Astor Company had temporarily united them. By the Nootka Convention of 1790 with Spain,<sup>7</sup> Great Britain secured for her subjects a right to trade and form settlements anywhere to the north of the Spanish settlements in California. They could, if once established on the coast, gather furs at all the ports and inlets as far north as Alaska. But the profitable use of this right depended upon the control of the continental trade which would supply the bulk of the shipping, and for this the Columbia River was indispensable. Mackenzie, who was the prophet as well as the

<sup>7</sup> See Manning, "Nootka Sound Controversy", p. 455.

pioneer of British trade extension over the northern half of the continent, saw clearly the significance to Britain of a hold on the Columbia. Writing in 1801 about his scheme to consolidate the Hudson's Bay and North-West Companies in order to monopolize the fur-trade "from the parallel of 45 to the Pole", using preferably the Nelson River and the Saskatchewan as the line of communication from the sea to the Rockies, he says:

But whatever course may be taken from the Atlantic, the Columbia is the line of communication from the Pacific Ocean, pointed out by nature, as it is the only navigable river in the whole extent of Vancouver's minute survey of that coast; its banks also form the first level country in all the Southern extent of continental coast from Cook's entry, and, consequently, the most Northern situation fit for colonization, and suitable to the residence of a civilized people.<sup>8</sup>

The line of posts would begin at the mouth of the Columbia, ascend that river to the Rockies, connect with the upper waters of the Saskatchewan, and by that river, the Manitoba lakes, and Nelson River to the sea. Connected with this trade would be the "fishing in both seas, and the markets of the four quarters of the globe".<sup>9</sup>

Mackenzie's project, perhaps the prototype of Astor's, at least the earlier by some half dozen years, was in process of partial execution during the years 1801 to 1813, and it was therefore not an accident that the North-West Company was at hand on the Columbia when the war broke out, to slip into the position which, in view of the British control of the sea, became to the Americans untenable.<sup>10</sup> At least, the brothers M'Gillivray, leading partners of the North-West Company, declared in 1815 that the North-West Company,

<sup>8</sup> *Voyages*, p. 411. Though Mackenzie was mistaken about the identity of the Tacoutchee Tesse—the stream he had followed southward for some distance west of the Rockies—and the Columbia, an identity assumed in his book, this fact did not alter the argument contained in the words quoted; for it was the Columbia and not the Tacoutchee Tesse which in its upper course approached the headwaters of the Saskatchewan, by which Mackenzie proposed to reach the Rocky Mountains.

<sup>9</sup> *Ibid.*, p. 411.

<sup>10</sup> David Thompson, in a memorial written in 1845, claimed that the North-West Company selected him to establish trading posts west of the Rockies in 1801; that he crossed the mountains to M'Gillivray's River—head of the Columbia—but was driven back by Indians. His memorial is in the Public Record Office, London, F. O. Am. 440. Be this as it may, we know from Thompson's journals that he was on the upper Columbia in 1807, and that from that date he spent much time west of the mountains surveying and establishing trading posts for his company. Astor's party had barely established itself at Astoria in 1811 when Thompson arrived at the mouth of the river, evidently with a view to taking possession for his company. See on Thompson's movements during the years 1807-1811, Coues, *Journals of Henry and Thompson*, index. Also Terrell, *David Thompson*.

having extended its trade across the Rockies, was making all necessary preparations for supporting it by sending ships to the Columbia at the time when the war of 1812 broke out. Their statement is *ex parte* but on this point there is no good reason to discredit it.<sup>11</sup> With the Columbia in British hands, or the free use of it throughout its course guaranteed to them, the dream of Mackenzie might be realized; its loss would have involved the immediate sacrifice of an immense trade area and the certainty that some rival American company would entrench itself at the mouth of that river to carry on a destructive competition both along the coast and through the interior.<sup>12</sup>

Besides their interest in regaining control of the Columbia, lost through the fortune of war, and restoring to Americans the fur-trade of that region, which Astor estimated to be worth prospectively "some millions of dollars per annum",<sup>13</sup> the United States found in general policy a motive for insisting upon the forty-ninth parallel as the boundary, to the sea. The origin of this demand connects itself with the history of the first northwestern boundary as described in the treaty of Paris of 1783, as well as with the second northwestern boundary from the Lake of the Woods to the Rocky Mountains incident to the American purchase of Louisiana. For when it became apparent that a line *due west* from the Lake of the Woods to the Mississippi, as described in the treaty of 1783, was geographically impossible—since the source of the Mississippi lay to the south of the lake—the British government began to insist strongly on such a rectification of the boundary as would bring their territory in contact with the river at a point far below its source, contending that only in this way could their treaty right to navigate the river become effective.<sup>14</sup>

<sup>11</sup> They say the company had "applied to government for a charter or grant of the trade of the country to be thus supplied [by sea—the Oregon region], and to the East India Company for permission to carry its products to China, and thus two years were occupied in these applications and preparatory arrangements. This was the state of the matter at the commencement of the last war with the United States, when at length government resolved to interfere in the matter." "Statement relative to the Columbia River and the Adjoining Territory on the North West Coast of North America." Enclosed in S. M'Gillivray's letter to Bagot of November 15, 1817. Found with Bagot's despatch, no. 74, Public Record Office, F. O. Am. 123.

<sup>12</sup> Mr. Astor himself hoped to return to the Columbia in case that region should be restored to the United States at the close of the war. See his letter to Jefferson, October 18, 1813. MS. Jefferson Papers, Washington. Also Gallatin's letter of August 5, 1834, to Astor. Gallatin's *Writings*, Adams ed., II. 505.

<sup>13</sup> Letter to Jefferson, October, 1813.

<sup>14</sup> In the negotiation of 1794, resulting in the Jay Treaty, Lord Grenville proposed as the boundary in the northwest a line from West Bay of Lake Superior



Had they succeeded in this object, Great Britain would have been placed at an advantage with reference to all of the undistributed territory lying west of the upper Mississippi on the practical ground that this territory was contiguous to her own. Mackenzie, who well understood the force of the argument from contiguity, declared in 1801 that wherever the rectified northwestern boundary line should strike the Mississippi—and he apparently thought the point would be at the parallel of  $45^{\circ}$ —“it must be continued West, till it terminates in the Pacific Ocean, to the South of the Columbia.”<sup>15</sup> In other words, he regarded the coveted position on the Mississippi as a political fulcrum, on which, by the dextrous use of the commercial lever, every portion of the territory north of a right line extending to the Pacific might be quietly lifted into the British sphere of control.

How far Mackenzie may have reflected his government's policy of the moment cannot be fully determined; but there is no doubt that the American government was on guard against contingencies such as he suggested, and that they sought by both positive and negative means to render this naïve forecast of British expansion southward an unsubstantial dream. For when, in the first months of the year 1803, the threatened occupation of New Orleans by the French seemed to justify an alliance with Britain as a means of freeing the lower Mississippi, the government, though authorizing a treaty for that purpose, instructed their commissioners, Monroe and Livingston, not to admit as a condition of such alliance Great Britain's anticipated demand of the privilege of acquiring territory west of the upper Mississippi. Three things, Secretary of State Madison thought, suggested the probability that she would claim such a privilege: her anxiety “to extend her domain to the Mississippi, the uncertain extent of her claims, from North to South, beyond the Western limits of the United States, and the attention she has paid to the North West coast of America”.<sup>16</sup> Gallatin, at about the same time, thought we might be obliged to take immediate possession of northern Louisiana “to prevent G[reat] B[ritain] from doing the same”.<sup>17</sup>

drawn due west toward Red Lake River of the Mississippi, to intercept at right angles a line drawn due north from the angle formed by the junction of the St. Croix with the Mississippi. See maps, *American State Papers, Foreign Relations*, I. 492. Also pp. 488, 490-492.

<sup>15</sup> *Voyages*, p. 399.

<sup>16</sup> Letter to Monroe and Livingston, April 18, 1803. *Writings of James Madison*, ed. Hunt, VII. 39.

<sup>17</sup> Letter to Jefferson, April 13, 1803, commenting on some proposed instructions for Captain Lewis. Gallatin thought Lewis should examine carefully into

By a stroke of fortune, over which Americans have not yet ceased to wonder, the Louisiana territory of vast but indefinite extent fell into our hands at this very time. It instantly introduced a new problem—the determination of a boundary between Great Britain and the United States west of the Lake of the Woods—and this, since the United States set up a claim to the forty-ninth parallel for that boundary, practically administered the coup de grâce to Britain's claim to come down on the Mississippi.<sup>18</sup> The idea was not at once abandoned, and at the opening of the negotiations following the war of 1812 the British government showed a disposition to force the United States into compliance with their most extreme pretensions in that quarter, but without avail.<sup>19</sup>

Meantime, the United States was beginning to employ the argument from contiguity in a manner quite as sweeping as that exhibited by Mackenzie in 1801, but with a very different motive and a different effect. Mackenzie had desired Britain's boundary to come down on the Mississippi *in order* that it might be carried to the Pacific south of the Columbia, thus placing that river at the service of British traders. When Monroe, in 1814, insisted on the restoration of Astoria to the United States he apparently feared that its possession by Britain would facilitate her encroachment upon territory claimed by the United States south of 49° *east of the Rockies*.

the means by which a British attempt upon the Missouri could be frustrated. He conceived that "the future destinies of the Missouri country are of vast importance to the United States." The above are among a number of hints tending to require the ascription of a political or precautionary motive for the Lewis and Clark expedition in addition to the scientific and commercial motives usually regarded as sufficient. Supplementary hints are found in Jefferson's secret message of January 18, 1803, and in Lewis's first letter to Jefferson on his return to St. Louis, September 23, 1806. *Original Journals of the Lewis and Clark Expedition*, ed. Thwaites, VII. 334.

<sup>18</sup> On May 12, 1803, just twelve days after the signing of the Louisiana Treaty, Rufus King and Lord Hawkesbury agreed on a treaty by which Great Britain would have been granted "the shortest line which can be drawn between the northwest point of the Lake of the Woods and the nearest source of the Mississippi". But this provision was rejected by the United States Senate on the ground that it might in the future "be pretended to operate as a limitation to the claims of territory acquired by the United States" from France. John Quincy Adams to the Secretary of State, December 16, 1803. *Am. St. Pap., F. R.*, II. 590. See also Senate resolution of February 5, 1804, *ibid.*, p. 591. Also, Madison to Monroe, February 14, 1804, explaining how the fifth article of this treaty might have affected the Louisiana boundary, which was believed to have been fixed at the forty-ninth parallel by commissioners appointed in consequence of the treaty of Utrecht. *Ibid.*, III. 80 ff.

<sup>19</sup> The British commissioners at first demanded a line from the western end of Lake Superior to the Mississippi, and when the Americans protested this as aggressive they suggested the line from the Lake of the Woods southward to the head of the river. *Ibid.*, pp. 309, 310, 312.

He therefore contended that "on no pretext can the British Government set up a claim to territory south of the northern boundary of the United States."<sup>20</sup>

That boundary, fixed by the treaty of 1783 at the northwest point of the Lake of the Woods, coincided unusually well with the claim, based upon unverified tradition, that the treaty of Utrecht contemplated a settlement of limits between France and England at the forty-ninth parallel of latitude. Under these circumstances the forty-ninth parallel could be insisted upon as a "convenient boundary"<sup>21</sup> through the entire stretch of wilderness in which the territories of the two nations were contiguous—ultimately from the Lake of the Woods to the Pacific. Eventually, this line was fixed in two sections, first from the Lake of the Woods to the Rockies and, second, from the Rockies to the sea, with an interval of twenty-eight years between their respective settlements. The extension of the line from the Lake of the Woods westward was first discussed, unsuccessfully, in 1806–1807,<sup>22</sup> and again in 1814.<sup>23</sup> After the latter date and prior to October, 1818, when the question was set at rest by treaty, occurred the first phase of the Oregon discussion proper, a phase which it is difficult, or rather impossible, to disentangle from the question of the boundary extending from the Lake of the Woods to the Rocky Mountains.

We saw above that Monroe in March, 1814, before it was known

<sup>20</sup> The entire letter, dated March 22, 1814, and addressed to the commissioners of the United States to negotiate a treaty with Great Britain, is as follows: "Should a treaty be concluded with Great Britain, and a reciprocal restitution of territory be agreed on, you will have it in recollection that the United States had in their possession, at the commencement of the war, a post at the mouth of the river Columbia, which commanded the river, which ought to be comprised in the stipulation, should the possession have been wrested from us during the war. On no pretext can the British Government set up a claim to territory south of the northern boundary of the United States. It is not believed that they have any claim whatever to territory on the Pacific ocean. You will, however, be careful, should a definition of boundary be attempted, not to countenance, in any manner, or in any quarter, a pretension in the British Government to territory south of that line." *Am. St. Pap., F. R.*, III. 731.

<sup>21</sup> Gallatin so spoke of it in a letter of December 25, 1814. *Writings*, I. 646.

<sup>22</sup> On the feeling in England at that time respecting the prospect of developing a British claim in the region of the Missouri by occupancy, conquest, or purchase from Spain, see report of American commissioners, Monroe and W. Pinckney. *Am. St. Pap., F. R.*, III. 162.

<sup>23</sup> In 1814 the British commissioners would have been willing to define the boundary from the Lake of the Woods to the Rockies in a manner satisfactory to the United States, but only on condition that the old British claim of a right to approach the Mississippi should be admitted by the United States. This proposal was rejected. See *Am. St. Pap., F. R.*, III. 732–733, and 738. Also, J. Q. Adams's *Memoirs*, III., especially pp. 84–86, 110–111; and Gallatin, *Writings*, I. 646.

at Washington that Astoria had been captured, instructed the American peace commissioners to procure its restitution in case it should have been taken. In the treaty negotiated at Ghent nothing was said about Astoria specifically, but the first article stipulates that "all territory, places, and possessions whatsoever taken by either party from the other during the war, or which may be taken after the signing of this treaty, excepting only the islands hereinafter mentioned [in Passamaquoddy Bay, see Art. IV.], shall be restored without delay . . ." <sup>24</sup>

One day in the month of July following, Mr. Monroe requested an interview with Mr. Anthony St. John Baker, the British chargé d'affaires at Washington, and on his responding, called attention to the post which at the outbreak of hostilities the United States had maintained on the Columbia but which had been broken up by a British naval force. In his opinion, this case was covered by the language of Article I., otherwise it would have been made an exception as were the islands in Passamaquoddy Bay. Baker was evidently taken by surprise, and appears to have been without definite information on the subject. <sup>25</sup> So he parried for the moment and Monroe shortly afterward put in writing a formal demand for orders from the British government to the British commander on the Columbia to turn over the establishment to an authorized agent of the United States, declaring that measures would be taken without delay for its reoccupation. <sup>26</sup> Baker's reply was still vague. He had received no instructions on the subject of such orders, and thought that although the post had probably been captured, yet it was very uncertain whether any person was left there who would be competent to make the transfer. He referred Monroe to Admiral Dixon for definite information on the points in question.

There is nothing to show that the British government ever furnished Baker with instructions on the subject, nor anything to explain the American government's delay in carrying out the an-

<sup>24</sup> *Am. St. Pap., F. R.*, III, 746.

<sup>25</sup> Baker's letter of July 19, 1815, to his government. MS. in Public Record Office, London, F. O. Am. 107.

<sup>26</sup> Enclosed with Baker's letter of July 19, 1815; also in *Am. St. Pap., F. R.*, IV, 852. Monroe's letter was dated July 18, 1815. His information doubtless came from Astor. It is probable, too, that the United States government was relying on Astor to reoccupy the post, for he seemed disposed at this time to re-establish his western trade. See Astor's letter to Hunt, in Irving, *Astoria* (revised edition, 1849), p. 495. Also Gallatin's letter to Astor, August 4, 1834, *Writings*, II, 503-505. Gallatin testified that Astor had stated to him, he thought in 1816, that he would reoccupy the Columbia if the American government would afford him some military support.



nounced intention to reoccupy Astoria.<sup>27</sup> The whole matter remained in abeyance for more than two years, or until November, 1817. On the 24th of that month Mr. Charles Bagot, the British minister who had superseded Baker at Washington, extracted from John Quincy Adams, the new Secretary of State, a confession that the sloop of war *Ontario*, Captain Biddle, "had been ordered to proceed to the mouth of the Columbia River, for the purpose of re-establishing the settlement of which the United States had been dispossessed during the war".<sup>28</sup> Bagot had been hearing rumors that the *Ontario* was sailing upon such a mission,<sup>29</sup> but these were so vague as to furnish no sufficient ground for bringing the matter to Mr. Adams. On November 21, however, he received a letter from Simon M'Gillivray, one of the principal partners of the North-West Company, in which that gentleman professed to have secured in New York, from a thoroughly reliable source, information to show that the *Ontario* was destined for the Pacific and that Captain Biddle had orders "to seize or destroy the establishments and trade of the North-West Company upon that coast".<sup>30</sup> Bagot now felt constrained to question the Secretary of State on the subject and, though Adams seemed to him a good deal embarrassed, he admitted the orders to re-establish the "settlement" and denied that Biddle had received orders to destroy or disturb the North-West Company's trade. Adams's theory was that the place had for many years belonged to the United States; that it had been captured by a British fleet; that it should have been restored after the war; and that now, since according to Mr. Baker it was doubtful if anyone could be found there to make the restitution, the only thing left to do was for the American government to re-establish it. In the conversation which ensued, Adams asserted that the Columbia River had first been discovered by an American ship, while Bagot retorted that the coast of the Pacific had been uniformly claimed by Great Britain in her discussions with Spain—her only legitimate contestant in that region—and that both

<sup>27</sup> The place was named Fort George on the occasion of its capture in December, 1813. Astor's fur business in the Lake region and elsewhere had been seriously deranged by the war, and time was required to bring it back into good condition; so that if, as seems likely, the re-establishment depended on him the delay may have been caused by the untoward posture of Astor's affairs at this time.

<sup>28</sup> Bagot's cipher despatch of November 24, 1817. MS. in Public Record Office, London, F. O. Am. 123; decipher.

<sup>29</sup> See his despatch no. 65, of November 7, 1817. F. O. Am. 123.

<sup>30</sup> See Bagot's no. 74, of December 2, 1817, and the letter of Simon M'Gillivray enclosed. This letter was dated New York, November 15, 1817.

Vancouver and Mackenzie had taken formal possession for their government. No general argument took place.<sup>31</sup>

Bagot wrote at once to his government. He also wrote to Governor-General Sherbrooke of Canada, suggesting that the news of the *Ontario's* departure be transmitted overland to the mouth of the Columbia, in order to make sure that on her arrival there the territory might be found to be actually in the possession of British subjects; he was in doubt whether he ought also to apprise the British admiral at Halifax of this state of things and suggest the expediency of dispatching a ship to the Columbia in the hope of anticipating the *Ontario*.<sup>32</sup>

It appears from these circumstances that the incident produced upon the British minister an alarming impression. And it must be confessed that the sailing of the *Ontario* with such an object and with such avowed orders, without notice to the British government, was, to say the least, disquieting. Adams and Monroe both assured Bagot that the failure to notify him of the government's intention to re-establish the post on the Columbia was a mere oversight, but in diplomacy such explanations are usually received with grains of allowance.<sup>33</sup> Yet, when Bagot's despatch number 74 reached Lord Castlereagh at the British Foreign Office, its representations produced an effect quite at variance with what the writer had anticipated. For Castlereagh, so far from showing trepidation, looked upon the affair of the *Ontario* as affording a happy opportunity to develop a policy of his own respecting the territorial relations of the United States and Great Britain west of the Mississippi.

This policy stands disclosed in two despatches<sup>34</sup> to Bagot of date February 4, 1818, the one intended for the eyes of Mr. Adams, the other as the minister's "chart and compass" in navigating the always difficult waters of a new negotiation. Briefly described, it was a "baiting" policy: Castlereagh began by conceding the right of the United States, under the first article of the treaty of Ghent, to be restored to "the same state of possession [on the Columbia] which they held at the breaking out of the war", and he issued

<sup>31</sup> See Bagot's no. 74, of December 2, 1817. See also J. Q. Adams, *Memoirs*, IV. 24-25. Adams's account of the interview differs from Bagot's in minor matters of fact, and of course in tone.

<sup>32</sup> Bagot's no. 74.

<sup>33</sup> Bagot declined to let the matter rest on the basis of the interview of November 24, but insisted on making it the subject of a formal note. In this note he enlarges on the British claims, using the facts and arguments furnished to him by McGillivray in a paper originally prepared by the North-West partners in 1815 and sent to Mr. Baker. See Bagot's no. 74.

<sup>34</sup> Despatches to Mr. Bagot, January to December, 1818, no. 2 and "separate and confidential". February 4, 1818. F. O. Am. 129.

orders accordingly for the restitution of Astoria to properly accredited officers of the American government. But here concession ended, and not only so, but the conditions of the restoration of Astoria were framed with an evident purpose to secure what it was hoped would prove a more valuable return concession from the United States. The American government had a good right to reoccupy Astoria, *but* the British government denied the validity of the American claim to the soil on which Astoria stood, and asserted the claim of Great Britain to that territory "upon which the American settlement must be considered as an encroachment". Having thus brought the question of right sharply into view, Castlereagh proposed to settle it by arbitration, a method provided in the treaty of Ghent itself for determining disputed points of possession and one which he believed the American government could not decline because on one question growing out of the execution of the treaty they had themselves proposed such a method of settlement.<sup>35</sup> Nor was he concerned with the Columbia River question solely, but he hoped to prevail upon the American government to agree to settle, by the same method, the whole extent of the boundary from the Lake of the Woods to the Pacific, or rather, as Castlereagh stated it, with diplomatic caution, "to the utmost extent of the contiguous territories of the two states".

In his private despatch to Bagot it was pointed out that the boundary settlement should be divided into two parts: first, "that which concerns the line between the two states from the Lake of the Woods westward to the Mississippi—this far the two states must be contiguous"; secondly, "that which concerns the rights of the respective states to the westward of that river, where they may or may not be contiguous states". He instructed Bagot to propose that the disputed point on the Columbia should be determined first, because it was the more pressing and because the inquiry into that question would doubtless throw much light on the rights of the two states in the interior from the Mississippi westward.<sup>36</sup> It was ob-

<sup>35</sup> The question of the slaves carried away by the British after the war; were the slaves "possessions" under the meaning of the first article, which recites "all *territory, places, and possessions*" shall be restored, etc.? It involves a preliminary report by two commissioners, one appointed by each of the two governments; if these agreed the question was to be regarded as settled, if not, it was to go to an arbitrator.

<sup>36</sup> "It being obvious", says Castlereagh, "that altho' the rights of the respective parties in the interior and on the coast may have taken their origin in circumstances wholly unconnected, that where a line is to be drawn through a territory so wild and uncultivated as that westward of the Mississippi, towards the Pacific, it is for the convenience of both governments first to enquire what their respective rights are upon the sea-coast to which such frontier line is to be drawn, before they proceed to trace the intermediate boundary."

viously Castlereagh's hope that, the policy of arbitration once adopted, Great Britain might be able to establish her claims at the two ends of the line, the Mississippi and the Columbia, or at least one of them, after which the determination of the remainder of the boundary would be more likely to proceed in harmony with her interests. Since it was tacitly understood that the Emperor of Russia, with whom Castlereagh was a special favorite, would be asked to arbitrate any questions arising under the treaty of Ghent, there is every reason to believe that his plan would have operated largely to Britain's advantage. But in fact these proposals were not seriously considered by the American government. They accepted the freely offered concession that Astoria should be restored, but declined all the suggestions for arbitration.<sup>37</sup>

The American government preferred to settle its boundary questions by the process of direct negotiation, and the principal result of the correspondence over the *Ontario* incident was to bring the whole subject of undetermined boundaries prominently before the British and American negotiators at London in the autumn of 1818. On that occasion Gallatin and Rush, for the United States, were instructed to accept as the boundary of Louisiana a line drawn along the forty-ninth parallel from the point where a line drawn due north or south (as the case might be) from the northwest point of the Lake of the Woods should intersect that parallel.<sup>38</sup> While no definite instruction was given with reference to a possible boundary west of the Rockies, the implication is that the American government was in no haste to settle it, particularly since Great Britain

<sup>37</sup> Astoria was formally turned over to J. B. Prevost, October 6, 1818. The reasons for declining arbitration on the boundary question while invoking that mode of settlement on the slave question, etc., are summed up by Adams in *Am. St. Pap., F. R.*, IV. 372, 376, 377, 378.

<sup>38</sup> Adams to Gallatin and Rush, July 28, 1818. *Ibid.*, p. 377, 378. Adams says: "From the earnestness with which the British Government now return to the object of fixing this boundary, there is reason to believe that they have some other purpose connected with it, which they do not now avow, but which, in their estimation, gives it an importance not belonging to it, considered in itself. An attempt was at first made by them, at the negotiation of Ghent, to draw the boundary line from Lake Superior to the Mississippi. But, as they afterwards not only abandoned that pretension, but gave up even the pretension to an article renewing their right to the navigation of the Mississippi, it was to have been expected they would thenceforth have considered this western boundary of no importance to them. The new pretension, however, of disputing our title to the settlement at the mouth of Columbia river, either indicates a design on their part to encroach, by new establishments of their own, upon the forty-ninth parallel of latitude, south of which they can have no valid claim upon this continent; or it manifests a jealousy of the United States—a desire to check the progress of our settlements . . ."



had already specifically admitted the right of the United States respecting Astoria.

In the negotiations, concluded October 20, 1818, the British plenipotentiaries attempted once more to connect with the boundary question a clause granting them access to the Mississippi and securing the right of navigating that river. They ultimately gave up both of these points and accepted the American proposal to carry the line to the crest of the Rockies by the forty-ninth parallel. But they insisted throughout in connecting the boundary extending from the Lake of the Woods to the Rocky Mountains with the question as to the country west of the Rockies, and practically refused to agree to any boundary settlement unless some arrangement were made respecting that territory. "This", say the American plenipotentiaries, induced us to propose an extension of the boundary line due west to the Pacific Ocean. We did not assert that the United States had a perfect title to that country, but insisted that their claim was at least good as against Great Britain. The forty-ninth degree of north latitude had, in pursuance of the treaty of Utrecht, been fixed indefinitely, as the line between the northern British possessions and those of France, including Louisiana, now a part of our territories. There was no reason why, if the two countries extended their claims westward, the same line should not be continued to the Pacific Ocean. . . . They [the British plenipotentiaries] did not make any formal proposition for a boundary, but intimated that the river itself was the most convenient that could be adopted, and that they would not agree to any that did not give them the harbor at the mouth of the river in common with the United States.

The Americans declined to consider this but were willing to adopt a treaty which should be silent respecting the western territory. This the British declined, but proposed an article guaranteeing to both nations equal commercial rights in so much of the territory as is comprised between the parallels of forty-five and forty-nine degrees. The Americans declared they would rather leave the entire boundary question unsettled than to accept an agreement so derogatory to the United States, and they offered the "joint-occupation" article which was finally incorporated in the treaty.<sup>39</sup> The British plenipotentiaries concluded "that by thus leaving the country in question open to the trade of both nations [they] substantially

<sup>39</sup> Gallatin and Rush to the Secretary of State, October 18, 1818. *Am. St. Pap., F. R.*, IV. 381. "It was at last agreed, but, as we thought, with some reluctance on the part of the British plenipotentiaries, that the country on the north-west coast, claimed by either party, should, without prejudice to the claims of either party [or the claims of any third power] and for a limited time [ten years] be opened, for the purpose of trade [and settlement], to the inhabitants of both countries."

secured to Great Britain every present advantage which could have flowed from its actual possession".<sup>40</sup>

The significance to the Oregon question of the treaty of 1818 is twofold: it validated the contention of the United States for a boundary along the forty-ninth parallel to the Rockies as the northern limit of Louisiana, thus excluding from later discussions about Oregon all complicating questions affecting the country east of the mountains; and it postponed the final compromise. In both particulars the immediate advantage of the treaty lay with Britain. For, her subjects being already in monopolistic control of the fur-trade in Oregon, it was commercially important to leave that control undisturbed as long as possible. Since their possession of Oregon could thereafter not affect the country east of Oregon, toward the Mississippi, the American government was deprived of the most urgent reason for wishing to dislodge the British from the Columbia. On the other hand, the general result of the treaty was favorable to the United States. The principle of contiguity had gained enormously in momentum by the creation of the forty-ninth parallel boundary, while time, the most dependable ally of a rapidly expanding nation, would furnish opportunities for strengthening the American claim before the expiration of the joint-occupation agreement.

One advantage the American government hastened to secure, the transfer to the United States of all the rights of Spain on the Pacific Coast north of the parallel of forty-two degrees and extending presumably to the Alaska boundary.<sup>41</sup> It was John Quincy Adams,<sup>42</sup> the American statesman so little loved by George Canning, who is responsible for this new obstacle to the realization of Britain's hopes during the vigorous Canning régime which was about to ensue.

Thus far the treatment of the Oregon question by the British Foreign Office seems strongly tinctured with a spirit of opportunism.

<sup>40</sup> Robinson and Goulburn to Castlereagh. Board of Trade, October 20, 1818, F. O. Am. 138.

<sup>41</sup> Adams to Gallatin and Rush, July 28, 1818. *Am. St. Pap., F. R.*, IV. 377. He says: "From the late correspondence with the Spanish minister, Onís, it appears that the claim of Spain upon the shores of the South Sea extends to the fifty-sixth degree of north latitude".

<sup>42</sup> "The acknowledgment of a definite line of boundary to the South Sea forms a great epocha in our history. The first proposal of it in this negotiation was my own, and I trust it is now secured beyond the reach of revocation. It was not even among our claims by the Treaty of Independence with Great Britain. It was not among our pretensions under the purchase of Louisiana—for that gave us only the range of the Mississippi and its waters. I first introduced it in the written proposal of 31st of October last, after having discussed it verbally both with Onís [Spanish minister] and De Neuville [French minister]. It is the only peculiar and appropriate right acquired by this treaty . . ." Adams's *Memoirs*, IV. 275.

Castlereagh's effort of 1818, whatever may be thought of it on general grounds, was a policy for the moment only. The outlining of a definite, permanent Oregon policy was left for George Canning. Canning's attention was drawn to the Oregon question in connection with other matters during the years 1823-1824. Once more it was our own government that initiated the discussion,<sup>43</sup> stimulated now by persistent activity in Congress looking toward the erection of a territory of the United States on the Pacific.<sup>44</sup> In his letter instructing Mr. Rush to bring forward the Oregon matter,<sup>45</sup> Mr. Adams pointed out the rapidly developing interest of the United States in the settlement of the boundary, employing arguments drawn from the recent Congressional discussion of the question.<sup>46</sup> He also stated the basis of our government's claim "to the Columbia River, and to the interior territory washed by its waters", as resting upon its discovery from the sea and nomination by a citizen of the United States; upon its exploration to the sea by Captains Lewis and Clarke; upon the settlement of Astoria, made under the protection of the United States, and thus restored to them in 1818; and upon the subsequent acquisition of all the rights of Spain, the only European power who, prior to the discovery of the river, had *any* pretensions to territorial rights on the Northwest Coast of America.

He believed the river to rise as far north as the fifty-first parallel and was prepared to offer that line as a boundary to the sea. But he was willing, nevertheless, to drop down to the parallel of forty-nine, should Britain strongly insist upon it, because that parallel had already been selected for the boundary as far west as the Rocky Mountains. When Canning learned what the American proposals were, he wrote the despatch (May 31, 1824)<sup>47</sup> to the British

<sup>43</sup> The British government had studiously avoided the question since 1818. When, in January, 1821, their minister at Washington, Stratford Canning, unwittingly got into an altercation with Adams on the subject, and wrote home for instructions, Castlereagh required him to say nothing further on the Oregon question without specific instructions received in advance. See Castlereagh to S. Canning, April 10, 1821, F. O. Am. 156. On the altercation itself, one of the most spirited in the history of our State Department, see Canning to Castlereagh, January 28, 1821, and his cipher despatch of January 30, 1821, in F. O. Am. 157. Also, Adams's *Memoirs*, V. 243-259.

<sup>44</sup> This discussion was started by John Floyd, member of the House from Virginia. He was a cousin of Charles Floyd of the Lewis and Clark Expedition and was in close touch with Ramsay Crooks and other "Astorians" as well as with those representing the whaling interests of eastern Massachusetts. For an account of Floyd see Bourne, "Aspects of Oregon History before 1840", in *Quarterly of the Oregon Historical Society*, VI. 255. See also, for the Congressional debate on Oregon, Schafer, *Pacific Northwest*, ch. ix.

<sup>45</sup> Letter of July 22, 1823. *Am. St. Pap., F. R.*, V. 721.

<sup>46</sup> They will be found summed up in Floyd's *Report* to the House of Representatives, January 25, 1821, reprinted in the *Quarterly of the Oregon Historical Society*, VIII. 51-75.

<sup>47</sup> MS. in F. O. Am. 191.

plenipotentiaries which, better than any other document, sums up the principles governing Great Britain's attitude during the twenty years which followed.

He appears conscious that the question is not, from Britain's viewpoint, a pressing one, since the joint-occupation agreement has still four years to run and the rights of Russia are in course of adjustment.<sup>48</sup> Nevertheless, his government was prepared to treat with the United States for a delimitation of frontiers west of the Rocky Mountains "on the joint principles of occupancy and reciprocal convenience". Great Britain was ready to make a reasonable concession, but could not accede to the American demand that she exclude herself from the entire stretch of coast from 42° to 51°. "Within that space", he says,

is Nootka; and we may well be allowed to ask, under what pretense the United States Government can expect that Great Britain should, in their favor, surrender her claim to a part of the coast from which, when Spain attempted to exclude her in 1790, she maintained her right in opposition to that power at every risk and maintained it successfully. Within the same space is situated the mouth of the Oregon or Columbia River, the only great navigable communication, hitherto ascertained to exist, with the interior of that part of the country. The entrance to this river was surveyed by British officers at the expense of the British nation many years before any agent of the American Government had visited its shores, and the trading posts of the Hudson's Bay Company are now and have for some time been stationed on its waters.

What, in opposition to this state of facts, can the United States adduce to sustain their claim? That claim, whatever it may be, must have originated in one of three ways: either in the purchase of Louisiana from France, in the treaty of 1819 with Spain, or in acts of the American government performed independently of other nations. That government has the right to select, for purposes of argument, either the French title, the Spanish title, or the American title, as the one or the other may seem the least vulnerable. But the "French title, if good, must be good exclusively as French; the Spanish, as Spanish; and the American, as American . . . it never can be tolerated that either the French, or the Spanish, or the American title should be exhibited at the same time under a threefold aspect, or that the defect of any one of these titles should be supplied by arguments deduced from the other two", the titles being, as he believed, mutually contradictory.

<sup>48</sup> Russia stipulated with the United States in 1824 and with Great Britain in 1825 to restrain her settlements to the region north of 54° 40', provided the other party would in such case remain south of that line. This left the United States and Great Britain the sole contestants for territorial rights west of the Rockies from 42° to 54° 40'.



Canning traverses the grounds of claim under each of the three titles. He finds that Louisiana, from the purchase of which arose the French title, was merely coextensive with the drainage basin of the Mississippi system and could have carried with it no right to territory west of the Rockies. The Spanish title was based upon discovery solely, since Spain planted no settlements north of San Francisco, and on the ground of discovery Britain might urge the prior discoveries of Francis Drake, were it not that the Nootka Convention of October, 1790, between Spain and Great Britain set the whole question as between those two powers at rest. If the United States claim under the Spanish title, they must be prepared to take that title with all the limitations Spain had placed upon it, of which the Nootka Convention granting to Britain the right to trade and form settlements anywhere on the coast north of California was the chief.<sup>49</sup> The claim made by the United States in their own right he finds inferior to the British claim because, first, British navigators had explored at large expense considerable sections of the coast before the accidental discovery of the river by Gray; the river itself was explored by Broughton at least ten years before the arrival of the Lewis and Clark Expedition, and though a party of Americans had formed an establishment at the mouth of the river in 1811, they soon sold it to the British company, whose successors had since then developed the trade of the entire Columbia region, occupying several stations south and east of the river below the forty-ninth parallel and connecting the Columbia trade with the Canadian fur-trade. It would be impossible to assign to each party precisely the territory which on the basis of prior discovery, exploration, and occupancy might be justly claimed, and the only reasonable procedure would be to divide the whole territory by the line of the Columbia River to the forty-ninth parallel, and then along that parallel to the Rocky Mountains. By such a compromise, which he authorized, Britain would secure "the only points of substantial interest to us, I mean the undisputed possession of the whole country on the right bank of the upper Columbia and a free issue for its produce by the channel of that river. In executing my present

<sup>49</sup> Zest was imparted to Canning's discussion of the Spanish title because he knew it was on the basis of that title the United States had announced its opposition to the further colonization of the American continent by European nations. This "Monroe Doctrine" was to be specifically protested, or at least interpreted so far as it affected Britain's status in North America, in the Oregon negotiation.

Everett wrote, no. 69, December 2, 1843, that Lord Aberdeen had a "very low opinion of the exclusive rights of Spain in the unsettled portions of the continent". This, as you are aware, is an hereditary element in British Colonial politics. Despatches to Dept. of State, American Embassy in London, vol. VIII.

instruction you will be careful to provide effectually for this object."

The negotiation of 1824 got no farther than the mutual exchange of proposals by the parties.<sup>50</sup> When, in 1826, Gallatin was sent to London to negotiate a treaty covering all questions in dispute between Britain and the United States, Canning repeated to the British plenipotentiaries the above instructions, ultimately adding to them a letter<sup>51</sup> containing a further concession. Since there was no harbor on the Pacific coast between San Francisco and Puget Sound fit to receive a warship, the British government would be willing to make over to the United States Port Discovery on De Fuca's Strait, with a radius of five miles of territory about it; or, should this not satisfy Mr. Gallatin, they would even be willing to give up a triangle of land, with all the harbors pertaining thereto, bounded by the Pacific on the west, Fuca's Strait on the north, and Hood's Canal, with a line drawn from its southern extremity to a point ten miles south of Gray's harbor as the other boundary. But Great Britain would not abandon the Columbia River boundary as the basis of compromise in spite of Gallatin's offer to yield to her the navigation of the river, on certain conditions, provided the forty-ninth parallel were made the basis. Thus agreement was out of the question and the negotiation ended with a mere extension for an indefinite term, of the earlier joint-occupation principle.<sup>52</sup>

A significant glimpse into the more secret recesses of Canning's mind, as respects the Oregon question, may be had through his letter to Lord Liverpool, dated July 7, 1826.<sup>53</sup> In that letter he deploras the "blunder" committed by the British government when they agreed to restore Astoria,<sup>54</sup> but he hopes to be able to retrieve it

if we maintain our present ground immovably. If we retreat from that, the cession of Astoria will have been but the first symptom of

<sup>50</sup> The American proposal was rejected, the British proposal was taken by Mr. Rush *ad referendum*, but nothing came of it.

<sup>51</sup> See Canning to Huskisson and Addington, November 10, 1826, for his renewal of the instructions of 1824, and his letter of November 30, 1826, for the supplementary instruction. Both are in F. O. Am. 219.

<sup>52</sup> The treaty stipulated that the joint-occupation agreement might be terminated by either party, a notice of one year to the other party being the only formality required.

<sup>53</sup> See E. J. Stapleton, *Some Official Correspondence of George Canning*, II. 71-75.

<sup>54</sup> "I do not hesitate to say that our decision on that occasion was absolutely unjustifiable. . . . Compare the Bill of Sale by which the settlement, or block-house, of Astoria was made over for a valuable consideration, by a company half British and half American, to a wholly British Company, with the first article of the Treaty of Ghent stipulating the restoration of places 'taken' in war; and read Lord B[athurst]'s despatch directing the surrender to the Yankees of the settlement so bought and sold . . . ."

weakness, the first of a series of compliances with encroachments which, if not resisted, will grow upon success. There are two points—one of a political, the other of a commercial character—which I anxiously desire you to bear in mind in the discussion of this question.

1st. That the ambitious and overbearing views of the States are becoming daily more developed, and better understood in this country.

2nd. That the trade between the Eastern and Western Hemispheres, direct across the Pacific, is the trade of the world most susceptible of rapid augmentation and improvement. Between China and Mexico, it is now going on largely . . . . We cannot yet enter into this trade, on account of the monopoly of the E[ast] I[ndia] C[ompan]y. But ten years hence that monopoly will cease; and though at that period neither you nor I shall be where we are to answer for our deeds, I should not like to leave my name affixed to an instrument by which England would have foregone the advantages of an immense direct intercourse between China and what may be, if we resolve not to yield them up, her boundless establishments on the N. W. Coast of America.

Canning's life ended before the completion of the negotiations of 1826–1827. Perhaps this helps to explain why the Oregon policy he announced, embodying his anti-American sentiments, as exhibited on numerous other occasions<sup>55</sup> as well as on this,<sup>56</sup> coupled with his militant patriotism and the prophetic feeling respecting the China trade revealed in the above letter, became all but fatally binding upon his successors. Certain it is that his programme of “staking the midstream [of the Columbia] as our boundary” was the programme under which the Oregon negotiation was resumed by the British ministry after the lapse of sixteen years, and it would infallibly have brought on a war with the United States had not such a calamity been averted by the more temperate statesmanship of Sir Robert Peel and Lord Aberdeen.

In 1842, Lord Ashburton was dispatched to Washington to negotiate with Secretary Webster all outstanding differences with the United States, principally the northeastern boundary, but subordinate thereto the question of the Oregon boundary. Aberdeen's instructions to Ashburton on that subject<sup>57</sup> proceed upon the assumption, already made by Canning, that “the actual title of both parties

<sup>55</sup> See Henry Adams, *History of the United States*, index, “Canning”; W. C. Ford, “John Quincy Adams and the Monroe Doctrine”, in the *AMERICAN HISTORICAL REVIEW*, VII. 676 ff. and VIII. 28 ff.

<sup>56</sup> See Gallatin's *Writings*, II. 338, 343–344. Canning professed to see in Baylies's *Report on the Oregon Question* (1826), so Gallatin wrote to Adams, evidence of a warlike spirit against Great Britain in the United States. Mr. Adams commented: (Gallatin, II. 367) “If Mr. Canning has not enough upon his hands to soothe the feelings of foreign nations for what he says in Parliament himself, he would think it passing strange to be called to account for offenses of that character committed by Mr. Brougham or Mr. Hume.”

<sup>57</sup> F. O. Am. 378.

appears mainly to depend upon joint occupancy, use, and settlement." Since it was understood that the United States government would propose the abrogation of the joint-occupation agreement, Ashburton was authorized to accept, as a permanent boundary, the line on the forty-ninth parallel from the Rocky Mountains to the Columbia, and thence along the middle of that river to the sea.<sup>58</sup> "But", continues Lord Aberdeen, "your Lordship will reject the proposal formerly made by the American Government, in case it should be repeated, of following the forty-ninth parallel of latitude from the Rocky Mountains to the ocean, as the boundary of the territory of the two states."<sup>59</sup>

Ashburton's experience in the ensuing negotiation was disappointing. He wrote on April 25, after a preliminary conference with Webster, that he expected to settle the Oregon boundary "satisfactorily, and by this I mean to carry our line down to the river". Webster, he reports, had complained that this would leave the United States no good harbor on the coast, but suggested that the matter might be adjusted provided his government could secure from Mexico the harbor of San Francisco. Ashburton expressed, unofficially, the belief that Great Britain would not oppose the plan of a cession from Mexico, and he trusted that this declaration—San Francisco being greatly desired by the United States—would pave the way for an immediate settlement of the Oregon boundary on his own terms.<sup>60</sup> But it would seem that Webster was not eager to purchase by so great a concession the mere neutrality of Great Britain respecting California.<sup>61</sup> And after the return to Washington of the

<sup>58</sup> He was to begin, however, with a proposal for fixing the boundary along the midstream of the Columbia from its mouth to its junction with the Snake River, from which point a line was to be run due east to the crest of the Rockies, and thence along the ridge of those mountains to the forty-ninth parallel. This minimum offer was probably intended to offset the anticipated maximum demand of the United States.

<sup>59</sup> The instructions of Ashburton were printed in *House Ex. Doc.*, 42 Cong., 3 sess., no. 1, 1872-1873, vol. v, pt. 2 (*Berlin Arbitration*).

<sup>60</sup> "I said", writes Ashburton, "that we could take no part in any arrangement of this description, but that . . . I believed that we should make no objection to any arrangement of the kind provided the cession by Mexico were voluntary. Here this matter now stands. We shall probably get our boundary with the understanding I mention, but without waiting for our treaty the conclusion of their arrangements with Mexico with which we are to have no concern." He says Mr. Everett had spoken to him about the matter of San Francisco before he left England. "I doubt whether in any case we could interfere with effect to prevent this arrangement, unless it were attempted to be forced on Mexico. We shall therefore do well to avail ourselves of the circumstances of this expectation to settle satisfactorily our own boundaries."

<sup>61</sup> His letter of January 29, 1843, to Everett (see *Writings*, National Edition, XVI. 393-396) suggesting a tripartite arrangement, Great Britain, Mexico, and



American exploring squadron under Lieutenant Charles Wilkes, with new and exact information respecting the Oregon country and its ports, Ashburton's hope of securing the river boundary vanished. The officers of the squadron had reported very unfavorably on the Columbia River port, where they lost the ship *Peacock* in 1841, but they represented the northern harbors, entered from the Strait of Juan de Fuca, as in every way desirable and in fact essential to the United States.<sup>62</sup> So, although Webster and Ashburton reached a happy agreement respecting the northeastern boundary, their treaty is silent on the subject of Oregon.

In order to complete this sketch it is necessary to inquire how a British cabinet which began in 1842 with a peremptory refusal to accept the forty-ninth parallel as the boundary to the sea, brought itself to propose what was essentially this mode of settlement four years later. Though the story of the negotiations and attempts at negotiation during that period is long and intricate, the explanation of Britain's change of attitude seems to me, from the evidence now at hand, reasonably simple. It turns upon the honest desire of Sir Robert Peel's administration to avoid a rupture with the United States—a sentiment not always heartily reciprocated by our own government.<sup>63</sup> Edward Everett, who was our minister at London the United States being the parties, probably indicates his real views; at least, his views after the return of the Wilkes Exploring Expedition early in June, 1842. Mexico must cede Upper California to the United States. The United States was to pay [blank] millions of dollars, of which a portion was to go to American citizens having claims against Mexico, and another definite portion to British subjects having claims against Mexico. The Oregon boundary was "to be run pretty much as mentioned to you", probably in the letter of November 28, 1842 (*Private Correspondence*, Nat. Ed., II. 150 ff.). In that letter Webster spoke of a suggested boundary beginning at Fuca's Strait, running up the strait, apparently to the south end of Admiralty Inlet and thence south, striking the river below Vancouver and following it "to its intersection with the 49th degree of latitude North". Mr. Fox, British minister at Washington, wrote Lord Aberdeen February 24, 1843, that Webster had that day spoken to him about the "tripartite" plan. He says Webster hopes to secure San Francisco "through the good offices of His Majesty's Government". F. O. Am. 391.

<sup>62</sup> See Wilkes's *Exploring Expedition* (Philadelphia, 1845), V. 171-172. Ashburton thinks it is the report of the squadron's officers to the government "which induces the government to hesitate about letting our boundary come down to the river". Ashburton to Aberdeen, June 29, 1842, F. O. Am. 379. Sir George Simpson, who met the Wilkes party in Oregon, learned that it was the intention of Wilkes to "recommend strongly to his government, to claim the whole of the territory on the Pacific from the Mexican northern boundary in Lat. 42° to the Russian southern boundary in Lat. 54° 40'". Letters of Sir George Simpson, AMERICAN HISTORICAL REVIEW, XIV. 86.

<sup>63</sup> On the changed tone toward America with the incoming of Peel's administration, see Everett to the Department of State, December 28, 1841. MS. Archives of the American Embassy, London, volume VII. Although the Congressional discussions on Oregon and the "Fifty-Four-Forty-or-Fight" slogan of the Demo-

when Peel's administration began and who remained there till the summer of 1845, expressed in a series of despatches during that time his conviction that the British government was disposed to a friendly settlement of the Oregon question on reasonable terms.<sup>64</sup> They felt bound, indeed, in view of the historical attitude of their government, not to accept any offer which did not in some respects go beyond what had been offered and specifically declined by Canning's government in 1826-1827. But, on the other hand, they did not expect the United States, any more than themselves, to now accept what they had once rejected.<sup>65</sup> The problem, from their viewpoint, was to induce the American government to accept, with modifications rendering it more liberal, the Columbia River boundary, or to offer liberal modifications of their proposed boundary on the forty-ninth parallel basis.

It was in this spirit that Lord Aberdeen wrote his instructions to Richard Pakenham (afterwards Sir Richard) when that gentleman was dispatched to Washington at the opening of the year 1844 to conduct a negotiation for the settlement of the Oregon question.<sup>66</sup>

cratic campaign of 1844 need not be taken too seriously as an index of American hostility, President Polk's inaugural declaration, in March, 1845, that our title to the *whole of Oregon* was "clear and unquestionable" must be regarded as the reverse of conciliatory.

<sup>64</sup> See, for example, Everett's no. 69 to the Department of State, dated London, December 2, 1843. Despatches to the Department of State, VIII. Aberdeen declared in an interview with Everett on November 29, 1843, that "there must be concession on both sides that they were willing to act on that principle and that we must do the same." Everett says: "it is the result of the closest consideration I have been able to give it, that the present government, though of course determined not to make any discreditable sacrifice of what they consider their rights, are really willing to agree to reasonable terms of settlement." Everett's idea of what would be "reasonable" is almost exactly expressed by the treaty as finally concluded. See also Everett's no. 106 of April 1, 1844.

<sup>65</sup> See Everett's nos. 69 and 106, *ubi supra*.

<sup>66</sup> No. 10, Aberdeen to Pakenham, December 28, 1843. The British government showed more anxiety to settle the question, after Ashburton's failure, than did our own government. Lord Aberdeen and Sir Robert Peel both expressed to Everett their regret that it had been left over and their desire to proceed without delay to its adjustment. See Everett's no. 19, of August 4, 1842. Also Everett to Webster, October 19, 1842. *Berlin Arbitration*, p. 27. "Lord Aberdeen, in the conference which ensued after the exchange of the ratifications, observed that his only object of regret in connection with the [Ashburton] treaty was that the boundary between the two countries on the Pacific Ocean had not been provided for; and expressed a strong wish that I might receive instructions on that subject." Aberdeen instructed Mr. Fox, October 18, 1842, to urge upon the American government to enter upon a new negotiation at London, through Mr. Everett, for the settlement of that question. The American government received the overture with formal friendliness but in no hearty spirit. President Tyler was in no haste to settle it. See Tyler to Calhoun, October 7, 1845, in "Correspondence of John C. Calhoun", *Annual Report of the American Historical Association* for

He begins now with "the last proposition made by the British negotiators in 1826", namely, the Columbia River boundary to the sea, modified by the offer of a port or ports and detached portion of territory north of the Columbia. Aberdeen felt "bound at once to declare that Her Majesty's government would not be found disposed to sanction any further cession of territory". But, if the American government should reject that offer—as he obviously expected they would—Pakenham might in addition offer "to convert into a free port any other harbour either on the mainland or on Vancouver's Island, south of 49° north latitude, which the United States government might desire. You may even advance one step farther, and . . . declare that Her Majesty's government would be willing to make all the ports within De Fuca's inlet and south of the 49th parallel of latitude, free ports." Should this extreme concession be rejected, he was to propose that the question of the northwestern boundary be submitted to the arbitration of some friendly state or sovereign; and should that offer also be declined, to propose a further extension for ten years of the joint-occupation agreement.

This letter was official; it expressed the views of the government as those views were controlled by considerations of party and national prejudice. It does not properly exhibit the private views of Lord Aberdeen, and probably not those of the cabinet in general. For among Aberdeen's private papers is the copy of a letter addressed by him to Pakenham on March 4, 1844, which not only proves that he did not expect the American government to accept the concessions authorized, but contains in addition the following remarkable suggestion:

Should my apprehensions be verified, you will endeavor, without committing yourself or your gov't, to draw from the American negotiator a proposal to make the 49th degree of latitude the boundary, with the proviso that the ports to the south of that parallel to the Columbia inclusive, shall be free ports to G. Britain. The navigation of the Columbia should be common to both; and care should be taken that the 49th degree of latitude, as a boundary, is to extend only *to the sea*; and not to apply to Vancouver's Island.

Such a proposal, coming from the American government, might be favorably considered by the British cabinet, though he is not sure

1899, p. 1059. Webster was nursing his "tripartite" plan, which he hoped would take himself to London as a special ambassador in the summer of 1843. See Fox to Aberdeen, February 24, 1843, F. O. Am. 391. The special mission failed, Webster retired from the Cabinet, and on October 8, 1843, Secretary Upshur sent Everett instructions to open the negotiation in London. But by that time Aberdeen had arranged to send Pakenham to Washington.

that it would be accepted. Aberdeen himself thinks it would be a reasonable compromise.<sup>67</sup>

We shall not be far wrong in inferring from the above letter, that by this time the question before the British cabinet was how to convince Parliament and the nation that the abandonment of the Columbia River boundary—Canning's boundary—was a political necessity unless Great Britain was ready to accept the stern arbitrament of war. This ultimate fact had been borne in upon the government from several directions. First, Mr. Everett in London, than whom no American minister has ever been in higher personal favor with the cabinet, insisted strongly, in repeated interviews with Lord Aberdeen, that the American government would never consent to abandon the forty-ninth parallel as a basis, and that the only modification of that boundary which could be hoped for would be to allow the line to run through Fuca's Straits to the ocean instead of extending it across the southern end of Vancouver's Island.<sup>68</sup> Mr. Pakenham, meantime, was writing in the same spirit from the American capital. When, after a long delay on the part of the American government, he at last secured an interview with Calhoun, the new Secretary of State, on the subject of Oregon, he was promptly assured that even if the Secretary could bring himself to accept a less advantageous boundary than that on the forty-ninth parallel, "it would be idle to propose such an arrangement to the Senate for that it most certainly would not be ratified."<sup>69</sup> Moreover, after it became clear that no boundary treaty was possible on the terms to which he was limited, Pakenham convinced himself that it would be practically useless to propose either arbitration or the extension for ten years longer of the joint-occupation principle; for the Senate, as he justly concluded, would not be disposed to agree to either of these expedients, even though the government might under extreme circumstances do so.<sup>70</sup>

<sup>67</sup> The author is indebted for this and other private correspondence of Lord Aberdeen to the courtesy of Lord Stanmore, his son, whose library at the Red House, Ascot, is the repository of the Aberdeen papers.

<sup>68</sup> Everett urged this point in the interviews reported in his nos. 69 and 106 above, that is, on November 29, 1843, and March 16, 1844, also in other interviews, as that reported in his no. 82, of February 2, 1844.

<sup>69</sup> No. 88, Pakenham to Aberdeen, August 29, 1844, F. O. Am. 407. The italics are mine. Pakenham and Calhoun discussed the Oregon question formally between the dates August 22 and September 24. The papers are found in print in *Correspondence relative to the . . . Oregon Territory subsequent to the Treaty of Washington* (London, 1846; government blue book).

<sup>70</sup> No. 134, to Aberdeen, December 12, 1844, F. O. Am. 409. Also no. 40, to Aberdeen, December 29, 1844, *ibid.* Pakenham found Calhoun strongly disinclined to discuss arbitration except as a last resort. See above, no. 140; also



On the passing of Tyler's administration and the incoming of Mr. Polk, with Buchanan as Secretary of State, the situation became, from the British viewpoint, still more dubious. Polk had been elected on a platform declaring for the whole of Oregon ("Fifty-Four-Forty-or-Fight"), and in his inaugural address he asserted his belief that our right to the territory as a whole was "clear and unquestionable". Though Buchanan undertook to resume the negotiation, Pakenham believed him to be intent mainly on wringing from Great Britain humiliating concessions and not sincerely anxious to end the dispute by honorable compromise.<sup>71</sup> In fact, although there is no reason to suppose that our government really desired war with Great Britain, the tone which they assumed in regard to Oregon was unquestionably higher and less conciliatory than that of their predecessors in office. In this the government reflected public opinion as exhibited both in and out of Congress. There was no reason to expect the popular zeal for Oregon to abate, and the wise course for Great Britain was to seize the first opportunity to settle the question honorably.<sup>72</sup>

In the critical weeks following our final rejection of arbitration, February 4, 1846, a growing sense of responsibility sobered all branches of the American government. The President allowed it to become known in England that he would not refuse to submit to the Senate, for their previous advice, a proposition for a boundary based upon the forty-ninth parallel and De Fuca's Strait; but that he was

Calhoun to Pakenham, January 21, 1845, enclosure 2 in Pakenham to Aberdeen, no. 22, *Corr. rel. to Oregon Terr.*, p. 31. Aberdeen, in an instruction to Pakenham dated April 3, 1845, cancelled his earlier instruction to secure an extension of the joint-occupation principle for ten years. See *Berlin Arbitration*, p. 223. The attempt to secure a submission of the question to arbitration was several times renewed, always unsuccessfully. The final rejection of this proposition came on February 4, 1846.

<sup>71</sup> See Pakenham's no. 95, F. O. Am. 428, dated September 13, 1845; on the connection of the Oregon question with the outbreak of a prospective war with Mexico, no. 102, F. O. Am. 428, dated September 28, 1845 (especially the "private and confidential" inclosed); see also nos. 114 and 115, F. O. Am. 429, of October 29, 1845. On the course of the negotiation, see his no. 60 of May 29, F. O. Am. 426; no. 87, F. O. Am. 427, dated July 29; and the above nos. 102, 114, 115, and 119 (with "private and confidential" inclosed). The formal papers passed between Pakenham and Buchanan are printed in *Corr. rel. to Ore. Terr.*, and in J. B. Moore, ed., *Works of James Buchanan*, VI. 194, 212, 231. See also, for the government's view, Buchanan to McLane, *ibid.*, 186.

<sup>72</sup> No. 21, Pakenham to Aberdeen, March 17, 1846, F. O. Am. 447, discusses the probable attitude of the next Congress on the Oregon question. His forecast agrees with that of Buchanan in his letter (private) to McLane of February 26, 1846, *Works*, VI. 386. The emigration of Americans to Oregon, and the necessity of extending the laws of the United States over that country, are facts of great significance, as Buchanan thinks: "the question must be settled peaceably within the year, or war may be the consequence."

unalterably opposed to yielding in perpetuity to British subjects the free navigation of the Columbia River.<sup>73</sup> Aberdeen waited with some trepidation<sup>74</sup> until Congress also displayed evidences of a conciliatory disposition,<sup>75</sup> when he instructed Pakenham to present a project of a treaty which made the boundary the forty-ninth parallel and Fuca's Strait, granted to the Hudson's Bay Company the right to navigate the Columbia,<sup>76</sup> and guaranteed the possessory rights of that company and the Puget Sound Agricultural Company south of the forty-ninth parallel.<sup>77</sup> The Senate, on June 12, by a vote of 37 to 12, advised the President to accept the British proposal, which was done, and the treaty was concluded on June 15 in the exact form in which the proposal came from Aberdeen's hand.

JOSEPH SCHAFER.

<sup>73</sup> See Buchanan to McLane (private), February 26, 1846. Buchanan's *Works*, VI. 385-387.

<sup>74</sup> Aberdeen wrote privately to Pakenham, May 4, 1846, saying, "the evils of delay . . . would be very serious if I thought that Congress should rise before the arrival of my proposition."

<sup>75</sup> In passing under a conciliatory form the resolution to give notice of the abrogation of the joint-occupation agreement.

<sup>76</sup> The Senate was convinced that the right would terminate with the expiration of the company's charter, May 30, 1859. See Buchanan to Clay, June 13, 1846. *Works*, VII. 10.

<sup>77</sup> See the treaty, in *Treaties, Conventions, etc., of the United States* (1910), I. 656.

## THE SCANDINAVIAN ELEMENT IN AMERICAN POPULATION<sup>1</sup>

OF the present population of the United States probably not less than three million persons are of pure Scandinavian stock, counting both the hundreds of thousands of Swedish, Norwegian, and Danish immigrants now living, and the descendants in the second and third generation of these and other immigrants of earlier years. As a considerable factor in the flight of the Teutonic tribes from Europe to America in the nineteenth century, a study of the native qualities of the Scandinavian immigrants, their numbers, and their motives in transplanting themselves to new soil, would be instructive. Of more immediate and vital concern, however, are the consequences to the Republic, which have followed their settlement, for it is obvious that the social and economic meaning of these seven figures would be vastly different if they stood for the same number of gambling gypsies, Chinese coolies, Mexican peons, or recruits from the proletariat of the south or west of Europe.

The final test of the value of any alien element in the population of a nation must always be its capacity for amalgamation with the better part of the adopting country, its ability and willingness to contribute positively and progressively to the upbuilding of the institutions and spirit of the nation whose life it shares. The Scandinavians have so often shown an exceptional power of adaptability in matters social and political that their large participation in the immigration movement from Europe during the last sixty years makes reasonable the presumption of large benefits to accrue from their coming to America. One of the great advantages which they possess for the enrichment of their chosen country lies in the freedom and education under which they have grown up in the Northern kingdoms, and in the fact that they have brought with them scanty luggage of social distinctions, class traditions, and ecclesiastical obligations.

The Swedish colony on the Delaware River in the middle of the seventeenth century, content in its quiet frontier plenty, was a significant forerunner of the great hosts of their emigrating kinsmen

<sup>1</sup> The substance of this paper was read at the New York meeting of the American Historical Association, December 31, 1909.

of the nineteenth century. Nearly fifty years after the founding of this colony of the Swedish crown, William Penn commented on its prosperity, and added: "They have fine children, and almost every house full: rare to find one of them without three or four boys and as many girls; some six, seven, and eight sons. And I must do them that right, I see few young men more sober and laborious."<sup>2</sup> But the narrow Atlantic coast was not to be the site of the New Sweden. Complications of European politics and the undeveloped state of the right of expatriation postponed for two hundred years the exodus of the children of the North, till finally, in the course of migration events, rare and attractive opportunities in the newer and vaster American West combined with industrial unrest in the northern peninsulas of Europe to produce a veritable army of emigrants who scrupled little to leave the three Norse kingdoms and enlist as citizens under a foreign flag.

This immigration reached its high-water mark in 1882, when more than 105,000 Scandinavians reached America, the major part of them going directly into the West, very few stopping east of Chicago. Another period of prosperity in the Upper Mississippi Valley, quite as much industrial as agricultural, produced another record of 77,000 of the same sort of immigrants in 1903, but by no means so large a proportion of them went into the agricultural sections of the Northwest as in the earlier decades.

The longing for land, the determination to own a farm at the earliest possible moment, is the most significant fact in the story of the influence of Scandinavian immigration to the United States. The call of the wild, rich, boundless western prairie, to be had in quarter sections, almost for the asking, with water and wood and fish and game near by, fell upon eager hearts in Sweden, Norway, and Denmark, where the areas of good land were narrowly limited by nature, subjected to many customary restrictions, and to be purchased, if purchasable at all, only with a great price in money and effort. The words of the call came in familiar tongues, in letters from adventurers into the new West, in interviews with prosperous immigrants who returned to visit their old home parishes, in circulars and in immigrant guide-books sent out by states, counties, railroads, and land companies. Agents were sent like missionaries to preach enthusiastically and effectively the gospel of Minnesota's or Wisconsin's or Dakota's industrial and agricultural advantages. The appeal was quite as much to the imagination as to the understanding; the response was made by the bravest, sturdiest, and most

<sup>2</sup> Janney, *Life of William Penn*, p. 236.



ambitious. The inspiration, the release of spiritual energies, and the development of new powers of activity and effort, in the process of adjustment to American conditions, have been potent, persistent, subtle social factors, affecting two generations of the immigrants and their children's children of two more generations. Thus it came about that the prospective joys of owning a farm and of expanding its acreage, with the prosperity of the years and with the growth of the family, made the hardships of pioneering and the isolation of the frontier seem as very little things to the strong-limbed, sound-hearted, land-hungry Swedes, Norwegians, and Danes in the middle Northwest, as compared with their more gregarious cousins of western and southern Europe, who sought American cities, construction gangs, or mining camps.

The Norwegian immigration was the earliest, attaining considerable proportions in the late thirties and early forties of the last century, when Illinois and Wisconsin were bidding loudly for settlers, with Chicago and Milwaukee as competing ports of entry for fresh importations. Here grew up, especially in Dane, Jefferson, and Rock counties in southeastern Wisconsin, strong Norwegian colonies typical of later settlements, towards which later comers directed their steps and in which they rested for a few weeks or worked for a few months before seeking a permanent location where good land was cheaper than in the partially occupied regions. The Swedish movement, beginning with a small colony in Wisconsin in 1841, got its first large impetus in the Jansonist communistic-religious settlement in Henry County in Illinois between 1846 and 1850. By 1860 both the Swedes and the Norwegians were pushing into Minnesota and Iowa in large numbers. The four states just named claimed the bulk of the Viking immigrants for the next two decades. But good land at the minimum price of \$1.25 per acre was growing scarce even in Minnesota, and about 1880 Nebraska and the Dakotas were annexed to the new Scandinavia. In this manner was realized the prophetic vision of Frederika Bremer, the Swedish authoress and traveller, whose striking words, written in St. Paul in 1850, and published in her *Homes of the New World*, were widely read by her countrymen in Europe:

What a glorious new Scandinavia might not Minnesota become! Here would the Swede find again his clear, romantic lakes, the plains of Scania rich in corn, and the vallies of Norrland; here would the Norwegian find his rapid rivers, his lofty mountains, for I include the Rocky Mountains and Oregon in the new kingdom; and both nations, their hunting-fields and their fisheries. The Danes might here pasture their flocks and herds, and lay out their farms on richer and less misty

coasts than those of Denmark. . . . Scandinavians who are well off in the old country ought not to leave it. But such as are too much contracted at home, and who desire to emigrate, should come to Minnesota. The climate, the situation, the character of the scenery agrees with our people better than that of any other of the American States, and none of them appear to me to have a greater or a more beautiful future before them than Minnesota.<sup>3</sup>

This strong, normal movement of a mature, educated, purposeful people into the agricultural areas of the Upper Mississippi and Red River valleys naturally resulted in the grouping together of companies of Norwegians or Swedes or Danes in certain counties, just as, at a later time, there occurred a similar segregation by wards and precincts in the cities, when the percentage of artisans among the immigrants increased, and when the cities absorbed a larger proportion of the new arrivals. In this way Dane and Jefferson counties in Wisconsin, Winneshiek County in Iowa, Freeborn, Fillmore, Ottertail, and Goodhue counties in Minnesota, and Cass, Traill, and Grand Forks counties in North Dakota are strongly Norwegian; Winnebago in Illinois, Douglas and Burnett in Wisconsin, Chisago, Wright, and Nicollet in Minnesota are Swedish counties; while the Danes are numerous in Pottawatomie and Shelby counties in Iowa, Howard in Nebraska, and Pembina in North Dakota. In some of the newer counties, like Burnett and Polk in Wisconsin, Pope in Minnesota, and Griggs in North Dakota, the foreign-born Scandinavians in 1900 were very nearly one-fourth of the total population, and those of the second generation, native-born, were nearly another fourth.

In the city-ward movement of the last thirty years, the Scandinavians, immigrant and native-born, have taken part, and as a result, Chicago, Minneapolis, St. Paul, Omaha, and Rockford have large sections where the Swedish, Norwegian, or Danish elements predominate. In fact, Chicago ranks fourth among the cities of the world in its population of purely Scandinavian birth, while in the number of Swedes it ranks third. After liberal allowance has been made for this later movement to the cities, it appears from the census figures of 1900 that not above one-fifth of the persons of pure Norse blood in the United States live in cities of 25,000 population or over.

The comparative significance of this steady tendency of the immigrants from Northern Europe to go into agricultural sections may be roughly estimated in figures. Of the native Americans, one out of six engages in agriculture in some capacity; of the Germans in the United States, one out of seven; of the Irish, one out of twelve;

<sup>3</sup> Bremer, *Homes of the New World*, II. 314-315.

while one out of every four of the Scandinavians may be classed as an agriculturist. Professor J. R. Commons, in the *Report of the Industrial Commission*, carries out the comparison even more strikingly, showing that the percentages of males "On Farms" in 1890 were: Danes 40 per cent., Swedes and Norwegians 38, Germans 27, Irish 14.7, Italians 5.8, and Hungarians 3.9.<sup>4</sup>

Another strong inducement offered by the West to the Scandinavian immigrants, besides the abundance of good lands, especially in the periods 1840-1860, 1870-1890, and 1898-1907, was the great demand, and high wages paid, for intelligent labor. Since many of the new arrivals had no capital beyond their accumulations of physical strength and common-sense, they must first serve at whatever tasks they could find, until enough money was saved to give them a start on their own farms. In the first two periods mentioned all the western states were exceedingly anxious to obtain settlers for their unoccupied lands, and the farmers who should take them up needed helpers. The construction of internal improvements like the out-reaching railroad systems could be carried on only by the aid of an abundance of laborers, who were not likely to be supplied to any considerable degree from the eastern states, for there the development of manufacturing and of transportation by land and sea was operating to keep up wages and to hold the laborer. The hard labor of the West and Farther West, therefore, must be done, if done at all, by those who had not already found their places in the industrial system of the country. For such services good wages, according to Eastern standards, were readily paid; according to Swedish and Norwegian standards, the wages were astonishingly liberal.

Experienced agricultural laborers in the Northwest about 1870 received nearly three times as high wages as the corresponding classes in Northern Europe, while the ratio for skilled labor was still higher.<sup>5</sup> Even after the panic of 1873 the ratio remained nearly three to one in favor of the American scale. Such wages attracted many laborers, but not all were content to remain mere wage-earners. If they were men who would become permanent settlers when the railroad on whose construction gangs they worked was finished, and if they should desire earnestly to occupy vacant agricultural land tributary to the railroad, or perchance owned by the railroad company itself as a grant made by the government in aid of its building, so much the better for the railroad, for the county, and for the state as a whole. The Norwegians, Swedes, and Danes proved to be just the men wanted; they entered in and possessed the land.

<sup>4</sup> *Report of the Industrial Commission*, XV. 301, 302.

<sup>5</sup> Young, *Labor in Europe and America*, pp. 676, 696, 739.

The process thus described was repeated over and over again, in the building of the Rock Island Railroad through western Illinois, the Northern Pacific through Minnesota and North Dakota, and what is now the Great Northern northwest from St. Paul, through the Red River Valley, and across Dakota. The by-products of permanent settlement of railroad laborers in townships adjacent to the new line were vastly more important than the original services, and in striking contrast to the infinitesimal results of the same sort which followed where the construction was done, as in later instances, by Italians, Greeks, Poles, or Mexicans. The nuclei of Scandinavian settlements planted in this way along the new railroads of the middle Northwest were sure to grow, and the promoters of those great systems spared no pains or expense to attract such substantial settlers as the Swedes and Norwegians were found to be. The corporations offered real bargains, and they found thousands ready to snap them up. It might be truly said that it was faith in human nature, and especially in Swedish and Norwegian human nature, which led to the construction and profitable operation of hundreds of miles of railroads in Minnesota and the Dakotas without any subsidy whatever of land or bonds.

President James J. Hill of the Great Northern Railway Company, which was built without any land-grant, gave a concrete and very striking illustration of the results of this faith and of the cumulative economic contribution of the Scandinavian settlers, in a speech in 1902 in Crookston, in northern Minnesota, in the midst of a great Scandinavian region. For comparison with towns of North Dakota, he said,

I took the best towns [of the Red River Valley] outside of Crookston. . . . I will give you the annual business. Warren's last year's railroad business with our company was \$86,000; Hallock, \$94,000, a respectable sum; Stephen, \$87,000; Ada, \$81,000 . . . Langdon [in North Dakota] . . . away up towards the boundary, upon Pembina Mountain, \$210,000; Osnabrock, I hardly know where it is myself, \$101,000; Park River, \$170,000; Rolla, \$127,000; . . . Bottineau, away at the west end of the Turtle Mountains, where a few years ago people said it was too far away; could not live there and could not raise anything if they did live there, \$258,000.<sup>9</sup>

The transformation of the wilderness into farms and gardens, by Swedes as in Chisago County, and by Norwegians as in Goodhue and Ottertail counties, in Minnesota, finds its counterpart in hundreds of localities. The figures for assessments and valuations year by year are eloquent testimony to the value of Scandinavian energy, strength, and thrift in the Northwestern commonwealths. Unim-

<sup>9</sup> *Northwest Magazine*, XX. 7-11.



proved areas diminish, and the class of "farm lands" expands surprisingly. The cash value of farms rises rapidly, along with the value of improvements. In two typical counties just named the increase in this cash value of farms was, for Chisago County, from \$1,171,426 in 1880 to \$2,563,630 in 1890, and for Ottertail County, from \$151,282 in 1870, to \$3,650,223 in 1880, to \$8,511,465 in 1890, and to \$12,478,640 in 1900.<sup>7</sup> No one was crowded out or kept from coming into possession of what should have been his by any prior right in this creation of wealth. Notwithstanding the homestead law and the flat price of \$1.25 for public land, the land really went to the highest bidder, to the man who was willing to invest those primary essentials of success in agriculture—muscle, courage, intelligence, patience, and the future of himself and his children. Many a time success came so quickly that the Norse settler sold out his improved farm, moved to a new frontier, and reinvested himself and his capital in a larger venture, sometimes repeating the operation twice. No small part of the stability and soundness of North Dakota is due to men of this very class, who, coming from Iowa, Wisconsin, or Minnesota, combined experience, capital, and shrewdness in acquiring and developing new farms, and who in their ripe old age found themselves possessed of goodly estates, with grown sons and daughters well established in their own homes near by.

The eagerness for land-owning and the willingness to pay for it in the vital terms of hard work and courageous thrift has had far-reaching influence upon the political activity and citizenship of the Scandinavians. The period of service as a laborer was an apprenticeship in American ways; some knowledge of English was acquired; methods of business were gradually learned; land laws, regulations of transportation, and the process of naturalization were studied. With completed naturalization and the acquisition of land the journeyman stage was entered upon, and the liking for public affairs, particularly strong in the Norwegian, whose homeland has long been the most democratic of the Norse kingdoms, might be indulged almost indefinitely. Loving independence and freedom, and hating slavery cordially, the large numbers who settled in the Northwest in the ten years before the Civil War were almost inevitably allied with the anti-slavery movement and consequently with the Republican party at its formation, the "party of high moral ideas" as they liked to call it long after it ceased to merit that noble description.

The growth of agricultural settlements along the advancing frontier compelled early and continual training in the soundest principles

<sup>7</sup> Reports of the United States Census.

and practices of American democracy, not for a few but for practically all the adult males. The purchasing of land required knowledge of federal laws and brought contact with federal officials. If the settlers had a post-office they must secure and operate it and the post-route, all under governmental direction. The towns and counties must be organized, and later there would be subdivision of these. The machinery of elections and local administration must be understood and made to work. The public school, almost invariably conducted in English from the start, was an early and willing responsibility. The levying and collecting of taxes, and the laying out of roads must be provided for. Over and over again these things were done well and promptly by men in whose veins coursed none but Norse blood; except for the peculiar names of men and towns, one would not suspect from the records that the town-makers were not born in Massachusetts or New York. In some cases more than one-fifth of the men of the community shared at first in the actual administration of town affairs. In the towns of Arendahl and Norway, in Fillmore County, Minnesota, all the officers at the first election, in 1860, were Norwegians; in the town of New Sweden, in the same state, four years later, thirty votes were cast at the first election, and six Swedes and four Norwegians filled all the offices.<sup>8</sup> Twenty years, and even forty years, later these offices were filled in about the same way. In 1901 the town of Stoughton, Wisconsin, one of the oldest and richest of the Norwegian settlements, was officered by a mayor and seven councilmen of Norwegian birth or descent. In county affairs the same activity is to be observed during the last thirty years; Traill County, North Dakota, and Lac qui Parle and Yellow Medicine counties, Minnesota, elected in 1904 seven or eight Scandinavians out of a possible ten in the county offices.<sup>9</sup> In 1893 one-fourth of all the sheriffs, treasurers, and registers of deeds in Minnesota and one-sixth of those of North Dakota were Scandinavians, approximately the same ratio as this element bore to the total population of the states.

But the Scandinavian as a journeyman in politics was not content; he would enter the rank of masters by sharing in state and national affairs and honors. He was a citizen, a man of property, education, and honesty; with many others of his nationality he had given honorable service in the Federal armies during the war; he soon offered a good record as an efficient county officer—and his countrymen were a numerous, ambitious, independent, and sensitive

<sup>8</sup> *History of Fillmore County*, pp. 346, 376, 378, 392; *History of the Minnesota Valley*, pp. 688, 690.

<sup>9</sup> *Amerika*, November 18, 1904.

company. They were apt pupils in the American school of practical politics. So early as 1870, the editor of a Norwegian newspaper in southern Minnesota declared that it was time for the 8000 Norwegian voters in that Congressional district to get a Representative in Congress, "just as well as other nationalities"—the Irish, for example—and he suggested a Norwegian convention, to be held the day before the regular Republican convention. Then if the Republicans refused "recognition", put on the screws!<sup>10</sup> Twenty years later "the Scandinavians of North Dakota in mass convention assembled" organized the Scandinavian Union of North Dakota, to secure for themselves "that share in the government which their competency, their character, and numerical strength, and their rank as pioneers in all matters of civilization entitle them".<sup>11</sup> The chairman of this convention, Hon. M. N. Johnson, was later elected a Representative in Congress, and then United States Senator from North Dakota.

In Wisconsin, Minnesota, and the Dakotas, it is now taken for granted that the state tickets, and very many of the county and municipal tickets will "recognize" the Scandinavian voters by nominating some of their number. Thus it has come about that Minnesota has had four Scandinavian governors and Wisconsin one, with many other administrative officers. Thirteen Scandinavians have been Representatives in Congress, two have reached the United States Senate, and several have attained ministerial rank in the diplomatic service as a reward for loyal and efficient party activity. But it must in fairness be said that the dignity, prestige, and repeated successes of such men as Senator Knute Nelson and Governor John A. Johnson of Minnesota were the result of real ability and genuine Americanism rather than of adventitious political advantage arising out of Scandinavian origin.

The party affiliations of the Scandinavian voters, broadly speaking, have been steadily Republican ever since the organization of that party, but the leaven of independent voting, beginning with the first defection, about 1880, to the Greenback party, has worked with uncertain periodicity and varying strength. Here it is the Free-silver heresy which divides them, as it did other classes of voters; there it is the Farmers' Alliance or the Populist principle. Again, a law for compulsory education, in the English language—the Bennett Law of 1889 in Wisconsin—led to a strange temporary alliance between the Irish and German Roman Catholics on the one hand

<sup>10</sup> *Faedrelandet og Emigranten*, June 9, 30, 1870.

<sup>11</sup> *The North*, July 10, 1889, translating from *Posten og Vesten*.

and the Scandinavian Lutherans on the other, and the election of a Democratic governor in Wisconsin. Each such excursion from the old parties, though followed by a return of the majority to the old allegiance, has strengthened the tendency to independent voting until at the present time, upon questions like the tariff, currency, and legislation for control of railroads and other great corporations, and local option or prohibition, the Scandinavian independent vote makes any election in the middle Northwest a matter of real uncertainty. Roosevelt carried Minnesota by a plurality of 161,000, yet Johnson, the Swedish Democratic candidate for governor, was elected by a small plurality. In 1908 Minnesota re-elected Johnson for a third term by a plurality of 20,000, at the same time giving Taft 85,000.

Turning to the effect of the Scandinavian element upon society in general, it is safe to say that in no case, save perhaps in the matter of the percentage of insane in state hospitals, has it exercised any disintegrating or retarding influence. The statistics of crime and pauperism for the six states containing Scandinavians in great numbers are strikingly favorable; the percentage of offences due to intemperance is not notably higher in such Scandinavian counties as Chisago and Goodhue in Minnesota, or in cities like Rockford, Illinois, and Madison, Wisconsin, or in the densely Scandinavian wards of Chicago, Minneapolis, and St. Paul, than in similar areas peopled by Germans or native Americans. The deep and abiding loyalty of the Norwegians and Swedes to the public-school system has been noteworthy since the early days of their settlement. While in a very few instances the Lutheran church has attempted year-long parish schools, it has usually confined itself to vacation schools for instruction in religion and the mother tongue, and to attempts to build up seminaries and colleges for advanced instruction under the direction of the various branches into which the Lutheran church, especially among the Norwegians, has become divided.

The Scandinavian immigrants, from the beginnings of their movement into the promise of the American West, have dedicated themselves, without reservation and without stipulation, to the interests and institutions of the Republic. Neither educational nor property qualifications, nor any other reasonable restrictions on immigration, would much affect the number of arrivals. They come to the New World to stay and to make homes in the old-fashioned sense of the word; they are racially akin to the best in America; they are mentally and temperamentally detached from Old World dogmas, castes, and animosities; they are educated, hard-working, ambitious, and law-abiding, and permanently quickened by the conditions of



American life. Their contribution to the social structure of the commonwealth will be strength and stability rather than beauty and the delicate refinements of culture. They are not likely to furnish great leaders, but they will be in the front rank of those who follow men of light and of spiritual force. They will be builders and contributors, not destroyers; their greatest and most enduring services will be as a subtle, steadying influence, reinforcing those high qualities which are sometimes called Puritan, sometimes American, but which in any case make for local and national peace, prosperity, enlightenment, and righteousness.

KENDRIC CHARLES BABCOCK.

## DOCUMENTS

### *I. Documents relating to the Mississippi Land Company, 1763-1769.*

THE following documents, found among the Earl of Chatham's papers,<sup>1</sup> serve to illustrate one phase of the movement for the colonization of the West in the eighteenth century. Immediately after the announcement of the formal cession of the West to Great Britain in February, 1763, a number of companies were organized for the purpose of exploiting the territory. Among these was the Mississippi Land Company, in which George Washington, the Virginia Lees, and a number of prominent merchants and planters of the colonies of Virginia and Maryland were interested. The proposed colony, the exact boundaries of which are printed elsewhere,<sup>2</sup> was to comprise two million five hundred thousand acres situated in the present states of Indiana, Illinois, and Kentucky. The efforts of the company to secure a grant were temporarily checked in the year of its organization by the issuance of the royal proclamation of 1763, designed to pacify the western Indians by reserving to them the territory west of the Alleghany Mountains. After 1767 the opposition of certain members of the ministry, notably Lord Hillsborough, who were not persuaded of the utility of such colonies, successfully circumvented the efforts of the company and its friends. By 1770 activity on the part of the company appears to have ceased.

CLARENCE E. CARTER.

### WESTMORELAND COURT HOUSE, VIRGINIA.

At a meeting of the Committee of the Mississippi Company Sept. 26<sup>th</sup> 1763.

#### *Present*

Richard Henry Lee, Francis Lightfoot Lee, Rich. Parker, John Aug. Washington, W<sup>m</sup> Booth, being members of the Committee,<sup>3</sup> and also Charles Digges, George Simpson and W<sup>m</sup> Beale Junr.<sup>4</sup>

<sup>1</sup>The bundle of papers relating to the Mississippi Company bears the following endorsement: "Mississippi Co<sup>s</sup>. Papers, sent to the Right Honble William Earl of Chatham, On Saturday the 20th of April, 1774." The papers are in the Public Record Office, London. They are declared by an endorsement to be all in the handwriting of William Lee.

<sup>2</sup>The boundaries are described in the memorial of the company, dated September, 1763. See documentary appendix to *Great Britain and the Illinois Country, 1763-1774* (Washington, 1910), by C. E. Carter.

<sup>3</sup>A committee of ten members was to meet twice each year to transact necessary business. See A. B. Hulbert, "Original Articles of Agreement", in *Ohio Archaeological and Historical Publications*, XVII. 438.

<sup>4</sup>Any member of the company was given the right to vote in committee meetings should he happen to be present. *Ibid.*

A Letter to M<sup>r</sup>. Thos. Cumming by order of the Company being prepared and approved is as followeth:

VIRGINIA Sept. 26<sup>th</sup>, 1763.

Sir,

We are now to inform you that a number of Gentlemen of this Colony and the Province of Maryland, many of them your particular acquaintances, have projected a Scheme for taking up a Considerable Tract of Land on a navigable part of the Mississippi and some of its dependencies. That for this purpose they have formed themselves into a Company by the name of the Mississippi Company and have agreed to such Articles and Rules for the better executing their plan, as the nature of the thing suggested to them. Of which, together with their subsequent proceedings you will herewith receive a Copy where you will perceive that we are directed to propose to you to become one of the Company and to desire that you will be pleased to procure so many subscribers to the Scheme, as will amount to nine, of such influence and fortunes as may be likely to promote its success. The particular spot chosen by the Company you will find by the Memorial lies on the River Mississippi, a considerable way above and below the confluence of Ohio therewith; and extending from the Mississippi into the Country Eastward and Southward so as to comprehend the quantity they want, on the first mentioned River, and its great branches, Wabash, Ohio and Cherokee Rivers. Many reasons have contributed to the choice of this place; such as the goodness of the navigation from thence to the Gulph of Mexico, the fineness of the climate, it being in about 38 Degrees of North Latitude, the country level, and the soil from unquestionable Intelligence, as fertile as any on the Globe. These powerful inducements cannot fail to effect a speedy Settlement of this Country which must render the share of each Adventurer extremely valuable.

The benefit then to be derived to the Company, being so probable, it remains only to obtain if possible, from the Crown a Grant to the Company (by the name of the Mississippi Company) for such Lands and on such Terms, as they have proposed in their Memorial.<sup>5</sup> For their Success in this point they rely on you, and as they are conscious that solicitations of this sort are attended with expense, to defray this they present you with an hundred Guineas.

The Company would choose to have their Memorial laid before the King, so soon as you shall find it expedient to do so, from having previously conciliated the favor of the Ministry thereto. And if you find that it is to be attended with success, you are desired to give the Committee the most early intelligence, and at the same time to inform them what expense will arise from the suing out of Letters Patent, that they may immediately call a meeting of the Company to raise the requisite sum.

But in the meantime you are to proceed as far as the nature of the thing will admit in suing out such Letters Patent. The Company choose Letters Patent rather than a Mandamus for the Colony, because so many persons of the first influence here, are concerned in Land Schemes; that a thousand nameless, artful obstructions would be thrown into their way to prevent the success of their enterprize.

<sup>5</sup> For terms see the original articles of agreement printed by A. B. Hulbert, in *Ohio Archaeological and Historical Publications*, XVII. 436, and the memorial of the company, dated September 9, 1763, printed in documentary appendix of *Great Britain and the Illinois Country, 1763-1774*.

Also it is desired that a warrant for survey shall be solicited from the Crown and left blank to be filled up with the name of such Surveyor as the Company can agree with to do their business on the cheapest terms, because the legal fees here are so oppressive, that the expence of surveying the Company's Grant would be insupportably great. But this application need not be made untill the Letters Patent be obtained.

It is apprehended that considerable difficulties will attend the attainment of the Grant we request, and for these reasons which have been urged here, as prevailing with you: First that the Grants of large Tracts of Land prevent the poorer sort of people from settling by the previous engrossing of the Soil. However plausible this may appear in theory, the contrary has been found true in practice.

It having been discovered from experience, that Land taken up by Companys may be retailed by them to Individuals, in such a manner as to profit the taker up, and yet the purchaser from him, obtain his Land cheaper than he could himself possibly have taken it up originally, because where a large quantity of Land is to be surveyed, an artist can be obtained to do the whole business, for a much less Sum, than the survey of the same quantity would cost a number of individuals having distinct property in it, and employing different Surveyors. Add to this the heavy charges that arise from the taking out so many different patents, the expense of traveling and attending offices, and lastly the utter ignorance the poorer sort labor under of the proper methods to be taken in the solicitation of patents, and their inability to advance ready money for such purposes. All which is removed by the method we propose, as we carry people immediately to the spot, invite others to come, and give them deeds to the Lands they want on reasonable terms, and credit given them until they by their industry become enabled to pay for their purchases. But in answer to all this it is urged, that what we propose to do, may be done at the expense and under the immediate protection of the Government. It is very true that if the Country proposed to be settled was not of very large extent, this method would answer, but as it happens otherwise and that the Country comprehends many thousand miles in circuit this method would create a most prodigious heavy Government Expence. <sup>2<sup>ly</sup></sup> It is said that by the Treaty of Easton,<sup>6</sup> made with the Indians during the War, all the Lands West of the Alleghany are given up to the Indians for hunting grounds, therefore good faith requires that they sho<sup>d</sup> not be molested in the quiet possession of them. In answer to this objection it may be urged that the Treaty was made with the Northern Indians and therefore could only mean to affect those commonly used by them as hunting grounds. That therefore the Lands solicited by this Company must be out of the question, as it is far South, at least 600 miles from the Indians who were then treated with and where they never go to hunt. And also that by the common principles of reason and the Law of Nations that Treaty is vacated by the Indians themselves, who for the slightest causes have attacked his Majestie's fortifications and most barbarously

<sup>6</sup> This treaty was negotiated in 1758 between the colony of Pennsylvania and the Indians; in it the former promised to make no settlements west of the Alleghany. See *Canadian Archives Report*, 1889, pp. 72 ff.; *Documentary History of New York*, II. 775, 783. For the significance of the treaty see Alvord, *Genesis of the Proclamation of 1763*, pp. 13-14.



murdered in cold blood the King's Officers and Troops, that they have also invaded most of the Colonies East of Alleghany, murdering multitudes of his Majestie's Subjects, and destroying the Country before them with fire and Sword. This Insult on his Majestie's Government and their first violation of the Treaty now puts it in the Power of the Crown consistently with Justice, to pursue the political plan of getting that Country settled as quickly as possible; we call it political, because the fertility of the Soil, the immense quantity of it, the fineness of the Climate and the Situation of Navigation, renders it one of the most proper Countrys in the World for the production of Hemp, of which commodity, so necessary to Britain, any quantity may there be produced. As well as a variety of other crude materials for manufactures, which at present we purchase from foreigners at a very great expence; such as Silk, Iron, Indigo, etc. But above all things, Hemp, it appears peculiarly adapted to, because that plant so greatly and quickly impoverishes ground, that to make it in many quantities, not only a Soil uncommonly fertile is requisite, but there must be a prodigious quantity, also the good policy of this measure, will further appear from considering how effectually a strong Colony settled at that place proposed by the Company will contribute to prevent any encroachments the French Settlers on the west side of the Mississippi may be disposed to make on the King's Territorys in that part, and how they will be cutt off from all communication with the Indian Nations, and thereby be prevented from instigating them to War, and harassing the frontier Counties as they have constantly done of all the Colonies. It is to be considered likewise that as the French have already a very powerful Settlement upon the River Illinois and many Settlements among the Lakes and as by the Treaty of Peace they are to remain there as British Subjects; whether if our people are not allowed to settle beyond the Alleghanys, will not the above mentioned French be apt (under the security of the vast distance of 8 or 9 hundred miles from our Settlements) to invite over their Neighbors and Countrymen from the west side of the Mississippi, and thereby gradually take hold of that Country as to make another expensive War requisite to remove them. This is no improbable event, when we attend to the enterprizing and encroaching genius of the French, ever fond of invading their neighbor's rights when they can do it with any tolerable security. And that they will be permitted to do this unmolested by the Indians is extremely probable from the powerful influence they appear to have over the minds of these people by their behavior to these Settlers at the time they were besieging his Majesty's Fort at Detroit, the 11th of last May when they made use of the French as Mediators between them and the Garrison which French most dishonestly gave up the King's Officers they had engaged to protect, to the cruel fury of the Indians, no doubt the better to conciliate the affections of the Savages, and by the Summons they sent Major Gladwin wherein they call the French their Fathers. These facts make it certain whatever encroachments the French may be inclined to make, they will meet with no obstruction from the Indians. These are hints, Sir, that we have thought it prudent to mention to you, that if necessary, may be urged to the Ministry, but we doubt not but your reflections will furnish you with reasons of more weight than any we have here suggested.

We are also to observe to you, Sir, that Col. Mercer<sup>7</sup> is now in

<sup>7</sup> Colonel George Mercer.

London soliciting for the Ohio Company, and perhaps he may have under his protection the Interest of other Companies whose concerns may possibly interfere with ours, or that he may think so; and thereby be induced to oppose our Scheme; we request you not to converse with Col. Mercer on the subject of our solicitation, nor let him know that any such plan is projected. This letter together with our original Articles, the Memorial, and all our papers will be delivered you by Mr. Chas. Digges, a worthy member of the Company whose opinion in what results to the concerns of the Company we recommend to your attention; and if it should not be agreeable to you to be a member or to solicit our affairs, we advise you, and it is in our Opinion, that in the appointment of another agent, you consult Mr. Digges, and that you take his sentiments in the Choice of those nine members to be procured in Britain and in that event Mr. Digges will receive our papers and put them into the hands of another Solicitor. But nevertheless we hope your friendship for many members of the Company will induce you to favor their Scheme, and to assist Mr. Digges with your advice. We have nothing more at this time to observe to you, but only that you will be pleased from time to time to give us all necessary information and that you direct your letters for us to Mr. W<sup>m</sup> Lee in Westmoreland County, Virginia; We are with great esteem, Sir, your most obedient and very humble Servants.

By order of the Committee, W<sup>m</sup> LEE, *Secretary*.

Resolved, that the Treasurer take a fair Copy of the original Agreement, the Memorial, and the Letter together with the Resolves of the said Company made at Belleview<sup>s</sup> Sept. 9, 1763, and deliver the same to Mr. Chas. Digges to be by him presented to Mr. Cumming.

Resolved that the Treasurer pay into the hands of Mr. Chas. Digges One hundred Guineas to be by him delivered to Mr. Cumming agreeable to the resolves of the Company.

. WESTMORELAND COUNTY, VIRGINIA, March 1st, 1767.

Thos. Cumming, Esq.  
Sir,

It was with concern we understand from your Letter to Mr. W<sup>m</sup> Lee, dated the 16<sup>th</sup> of January, 1765, that little hope was to be entertained of success in a point so much wished by the Mississippi Company. But we should not so long have neglected to answer that very polite and obliging Letter if you had not in some measure rendered an answer unnecessary, by declaring your intention of resuming the Pen when such an alteration in American affairs should take place as might prove favorable to the Claim.

That the present is a proper Crisis to renew our solicitations, we hope as well from the wisdom of the Ministry, as from what you have been pleased lately to write Col. Thornton on this Subject. In conformity, therefore, with the direction of the Company at their last general meeting we are to request, that if in your opinion, a probability of success now opens immediate measures be taken to press for a determination by the Privy Council on the Company's Memorial; and as a previous prudent step we recommend the obtaining as quickly as possible, one half the number of British members of the Company, which you were desired

<sup>s</sup> The residence of Colonel Thomas Ludwell Lee, in Stafford County, Virginia.

to procure by our former letter among which number, it will give us much pleasure that you sho<sup>d</sup>. be one; but the other half it is deemed proper shall remain unfilled, till the next general meeting, when you will receive further advice on this head.

When the consideration of this affair is recommended we should be willing (as it appears to you proper), to yield that part of the Memorial relative to fortifications at Government expence, but with respect to the Quantity of Land for each Member, if it be rightly understood, an abridgement of that will by no means answer, since it remains a certainty that one third at least of the quantity will be necessarily sacrificed to the purpose of gaining a sufficient number of Settlers to secure the rest, which added to the Expence incurred by conveying people there, the greater number probably from the Continent of Europe, the charge of surveying, etc., will leave the remainder not more than a good encouragement to the adventure. With regard to the Crown, it would seem a much more probable method of securing and speedily increasing the quit Rent revenue, by placing the Land in the hands of persons of property, than by suffering things to remain as they are now, when people in numbers that have no property and of bad reputation generally are bursting daily thro' the bounds of the settled Colonies, and fixing on the Waters of the Ohio, both lawless and useless to their Country, a consciousness of having violated Government Orders making them choose to have as little communication with the interior parts as possible.

We observe your opinion of the settled Colonies being too thinly inhabited. For some purposes, no doubt it is so; but whilst Great Britain desires our application to Agriculture rather than to Arts her interest in this point will more effectually be obtained, by a dispersion than by a collection of our people; experience evincing, that when good land can be obtained on easy terms, the desire of manufacturing is almost entirely lost in the eagerness for tillage. The difficulty of procuring Land, and the complement of great numbers in small Tracts of Territory, call necessarily for the exercise of invention, from whence spring originally improvements in Arts and Manufactures.

As the spot chosen by the Company is open to navigation and the Country around extremely fertile, the settlers there will beyond doubt considerably benefit both themselves and the Mother Country from the Products of the Soil; so the means of conveying British fabricks by water must render them greatly cheaper than they can possibly be made there for ages at least.

The Company has been informed by Mr. Digges of your declining to accept the money formely tendered you; they regard this as a very uncommon, and a very noble instance of warm and disinterested friendship, the only return to which they can at present make, is a real and genuine esteem.

We conclude that the Solicitor lodged the Memorial with the Privy Council and except the Ten Pounds paid him for that purpose, the Balance of the Money rests in the hands of Thos. Philpot, Esq., Merchant in London, who will be directed to pay it out to your Order as you shall find it necessary in the course of the solicitation.

In filling up the number of the British members as above mentioned we recommend your application to Flemming Pinkston, Esq., in St. Albans Street to be one of the Company.



We think of nothing more at this time necessary to be mentioned to you but our request that you give us (by means of Mr. W<sup>m</sup> Lee) the most early notice of what is done in our business; and we beg leave to refer you to a due consideration of the Original Agreement and Memorial, and of our Letter accompanying them dated the 26<sup>th</sup> of Sept. 1763.

We remain with great regard, Sir, your most obedient and very humble Servants.

Signed after being agreed to by the Committee and by their Order,  
WILLIAM LEE, *Secretary*.

At a General Meeting of the Mississippi Company at Stafford Court House in Virginia the 27<sup>th</sup> day of May 1767.

It appearing to the Company that the Committee in compliance with the directions of the said Company given to them at a meeting held the 22d day of Nov., 1765, have written to Mr. Cumming and pres'd him to solicit with vigor, the granting the Lands mentioned in the Memorial formerly sent to him, and the Letter being read to the Board which amongst other things directs that Mr. Cumming proceed to fill up the Subscriptions with only one half of the British members and the other half to remain 'till the next general meeting, which letter being approved of by the s<sup>d</sup>: Company they have come to the following resolutions:

That as some Gentlemen of power, fortune and interest wo<sup>d</sup>. willingly become members of our Company but may object to being limited to one Share.

Resolved that the Committee write Mr. Cumming to have regard to Major Thos. Addison's recommendations to him of such persons to whom a tender of two shares shall be made, and that the Treasurer write Major Addison requesting him to inform Mr. Cumming by Letter who the particular persons are to whom he may propose the acceptance of two Shares.

It appearing from experience, that a meeting of a Majority of the Members residing in Virginia and Maryland cannot be easily obtained according to the original Articles and an obstruction to business happening in consequence thereof, Resolved that for the future every general meeting of the Company shall be advertised in the Virginia and Maryland Gazette, and if at such a meeting a majority of the said members shall be assembled, four of which to be of the Committee, they shall have power to proceed on business and their determinations to be binding on the Company, anything to the contrary or seeming to the contrary thereof in the original articles notwithstanding.

Resolved that the Treasurer transmit a Copy of the last Resolve to every absent member in Virginia and Maryland that they may have notice thereof.

Resolved that as Mr. W<sup>m</sup> Digges hath refused to pay his proportion of the Money as is directed by the Original Articles it is determined that Mr. Richard Graham on complying with the requisite payment, be admitted a member of the Company in place of the said Digges, and that the Treasurer inform Mr. Cumming of this alteration in the list of subscribers.

Ordered that the Treasurer forthwith demand of the Subscribers who have not paid their quotas agreeable to the Original Articles, the Sums of money respectively due from them.



Ordered that the Treasurer pay the Expences accru'd at this meeting out of the Money in his hands.

Agreed to by

Richard Henry Lee, William Brent, Francis Lightfoot Lee, William Fitzhugh, junr., Henry Fitzhugh, Francis Thornton, Thomas Ludwell Lee, Robert Brent, Richard Parker, Thomas Bullet, John Augustine Washington, W<sup>m</sup> Beale, Junr., George Washington, W<sup>m</sup> Booth, W<sup>m</sup> Fitzhugh, John Riddell, Executor of the deceased James Douglas, Presly Thornton, W<sup>m</sup> Flood, W<sup>m</sup> Brokenbrough, Bened. Calvert, Henry Rozer, Anthony Stewart, the Rev. Henry Addison, Daniel Carroll.

Test, WILLIAM LEE, *Secretary*.

At a General Meeting of the Mississippi Company at Stafford Court House in Virginia, December 16<sup>th</sup> 1767.

*Present*

Richard Parker	Francis Thornton
Richard Henry Lee	William Brent
William Fitzhugh	John Augustine Washington
Francis Lightfoot Lee	William Fitzhugh, Junr.
Thomas Ludwell Lee	William Beale, Junr.
George Washington	William Lee

Richard Parker, Esq., chosen President of this meeting.

It is resolved that Messrs. Robt. Brent, Richard Graham, Philip Thomas Lee, William M<sup>c</sup>Gachin, and George Plater be excluded from the Company for not having paid their quota agreeable to the original Articles.

It is resolved that M<sup>r</sup>. Edw. Key, dec'd, was not a member of this Company, having never signed the Original Articles.

It is resolved that Major Thomas Addison is not a member of this Company, but that application shall be made to him to become a member.

It is resolved that M<sup>r</sup>. John Hite is not a member of this Company, having never signed the Articles or paid any money.

It is resolved that M<sup>r</sup>. Samuel Washington be admitted as a member of this Company on complying with the Articles thereof.

It is resolved that Messrs. John Baylor, Bernard Moore and Thos Walker be admitted as members of the Company on their complying with the Articles thereof.

It is resolved that M<sup>r</sup>. Chas. Digges have full power and authority to sell or dispose of his share in this Company to M<sup>r</sup>. Thos. Montgomery or any other person that the Company shall hereafter approve of.

It is resolved that application shall be made to M<sup>r</sup>. Warner Lewis and Doctor Arthur Lee to become members of this Company.

It is the opinion of the Company and it is so ordered, that the Treasurer of the Company call a general meeting of the Company according to the rules of the Company for that purpose, on the 21<sup>st</sup> day of March next ensuing, and if at that time a number of members sufficient to form a general meeting shall not be assembled, that in that case the Committee already appointed by the Company or the Treasurer of the Company being so directed by the Committee, shall have full power and authority to demand and receive of each member of the Company the Sum of £13, 11, 0, Sterling, amounting in the whole to the Sum of £542 Sterling, which Sum the said Committee are empowered to dispose of in

employing an agent to proceed immediately to Britain, there to solicit the Company's Grant, as fully, speedily, and effectually as the nature of the Business will admit.

It is resolved that W<sup>m</sup> Lee, Esq., the Treasurer, has presented his Account to the Company which is admitted.

It is resolved that W<sup>m</sup> Lee Esq., be continued Treasurer to this Company.

It is resolved that the Treasurer pay the Expence of this meeting.

Test, WILLIAM LEE, *Secretary*.

LONDON, May 30, 1769.<sup>9</sup>

Sir,

Above is a Copy of the Articles etc. of the Mississippi Co. which cost 11/ and 4/6 for the postage of your sundrie letters added to £13-11, your quota to the Mississippi Co. makes £14-6-6, for which Sum I have this day drawn on you at two days sight payable to Dr. Arthur Lee which I hope will meet with due honor. The temper of the present Ministry being much against America, it is tho't advisable to let the petition lay undetermined on, before the Board of Trade where it now is, in hopes a change of men (as is commonly the case), will bring also a change of measures. With regard to your Br. Robert's affairs in Virginia I am too little acquainted therewith to give you any authentic account thereof, but you may be much better informed by writing to Mr. John Ballantine Junr. mercht. on Nomony, Potomac, Virginia, or to Mr. David Boyd, Atty. at Law, Northumberland County, Virginia, either of these Gent. can give you a full acct. of his affairs. Capt. Gordon administered upon his estate and I believe has sold all the moveable estate, the lands were your Property and I don't see what occasion you had to sell them, but I suppose they were sold for your benefit. I wish it was in my power to give you more full information.

I am Yr most Hble Servt.

WILLIAM LEE.

## 2. *A Projected Settlement of English-speaking Catholics from Maryland in Spanish Louisiana, 1767, 1768.*

THE three documents printed below<sup>1</sup> form part of a correspondence relating to a proposed settlement in Spanish Louisiana by Maryland Catholics. Research in the Archivo de Indias has failed to

<sup>9</sup> It does not appear to whom this letter was written. Its significance lies in its reference to the postponement due to the feeling of the ministry. For Lord Hillsborough's attitude, see the report of the Board of Trade in *N. Y. Col. Docs.*, VII. 19.

<sup>1</sup> All copied from originals in the Archivo General de Indias, Seville, Audiencia de Santo Domingo: Luisiana y Florida, Correspondencia Oficial con los Gobernadores, años 1751 á 1768, estante 86, cajón 6, legajo 6. The copies form part of a collection made for Mr. Louis Houck, of Cape Girardeau, Missouri, who has allowed use to be made of them here. The two English letters were evidently copied for Ulloa by a copyist unacquainted with English, and hence were poorly done. Mr. Houck's transcripts were carefully re-collated in Seville, thus proving that the original copies were faulty. Some of the most obvious errors have been corrected without comment, while in other cases the editorial bracket has been employed.

locate the other letters touching this matter (Jerningham's of May 2, 1767, and the reply of July 31) that are mentioned in the documents here presented, or to discover any other additional material regarding it.

The attempt to found a Catholic colony from Maryland in the midst of the French and Catholic colonists was never carried out. It was no new idea. Already in 1752, Charles Carroll had gone to France on a fruitless mission, to petition for a grant of land on the Arkansas River, in order that the oppressed Catholics of Maryland might settle there and have freer scope for the practice of their religion. After 1755, some of the Acadians who had been deported from their own country to Maryland found their way to Louisiana, where they were given lands, and where they received a hearty welcome from the French population. According to the letters presented here, bands of Acadians must have gone to Louisiana in 1766 or 1767. Their reception by the Catholic government may have inspired Jerningham's attempt. At any rate tentative efforts were made for the founding of a settlement by Catholics from Maryland, as outlined partially in Jerningham's two letters and the letter of Governor Antonio de Ulloa, the two former being enclosed by the latter to his home government.

But the time had gone by for such a colony. Had Carroll's negotiations in 1752 met with favor in France, doubtless many of the Catholics of Maryland would have sought an asylum under a Catholic government. Double taxes, and the various other oppressions, both economic and religious, and the intolerant spirit of the Protestant government, might easily have driven off some of the best families of the colony, and much wealth. After the treaty of 1763, however, conditions had almost insensibly been improving. There was a more tolerant spirit. Catholic worship was more freely permitted. There was less talk of persecution. Consequently, there was not the same reason for migration as before. The very tone of Jerningham's letters is indicative of the fact that the Catholics would migrate only if their conditions were met by the Spanish authorities. This in itself points to a larger tolerance of their worship in Maryland. The same independence would not have been expressed fifteen years earlier. The agitation was no longer principally on religious but on economic grounds.

The presence in Louisiana of a body of colonists, although Catholic, from the near-by English colonies, who expressed themselves so distinctly and independently, would later not have tended to ensure the Spanish authorities, who were so soon to be seized by

a veritable hysteria against all Americans. It is more than likely that most of those who might have migrated and their descendants would have favored, if they had not joined in, the movement that was inaugurated from above for the opening of the Mississippi; and with effect, for the families who proposed to migrate were for the most part industrious tradesmen and owners of property. The end of Louisiana must have been the same. There might have been a greater English-speaking Catholic body in certain districts. Otherwise, the course of history would have remained unchanged. The economic aspects would continually have assumed greater proportion at the expense of the purely religious, among a people independent by nature and training; and this would in time have dominated and controlled the political.

The attempt is more interesting, however, from its mere historic aspect than from the speculative side. It is illustrative of one phase of life in the colonies, Spanish as well as English. It shows also the tendency toward a break-down of the artificial barriers between the Latin and Anglo-Saxon centres in America. That the attempt failed was perhaps a gain to the American revolution against England that broke out eight years later.

For notices of the Catholics of Maryland during the period from about 1750 to 1771, see the *Maryland Gazette*; the correspondence of Governor Sharpe (1753-1771) in volumes VI., IX., and XI. of *Archives of Maryland*, published by the Maryland Historical Society; and J. G. Shea, *The Catholic Church in the United States* (New York, 1886-1892), volumes I. and II. In the archives of Georgetown University (no. 43, envelope 10) is a manuscript volume on the state of the Catholics in Maryland, in which is a petition (April 10, 1756) of the Maryland Catholics to the provincial Assembly, praying that no double or increased tax be laid on Catholics. See also the document on page 819 of volume XV. of this journal, where mention is made in 1784 of the prospect that, independence and tolerance being now assured, Catholics might extensively migrate from Maryland and the neighboring regions to those on the left bank of the Mississippi.

Definite notices regarding Henry Jerningham are scant. An old family tree in the possession of Mrs. H. Q. Slye, of Washington, D. C., shows that Henry Jernegan (an old form of the name), M. D., "embarked for Maryland, in America July 22". Inquiries addressed by the managing editor of this journal to Lord Stafford of Costessey Hall, the present head of the Jerningham family, and to Stafford Henry Jerningham, esq., of the same residence, and



pursued through the aid of Dr. Marcus W. Jernegan of the University of Chicago, elicited some information. Mr. Jerneham writes: "I have . . . carefully waded through six boxes of documents in our Muniment Room here and I regret to say that I cannot come across anything which would throw a light on the matter. I see that this Henry Jerneham was the grandson of Sir Francis Jerneham, third baronet of Costessey. He died in the Province of Maryland on November 20, 1772, leaving two sons and five daughters." A pen-and-ink sketch of his family, sent over from Maryland by him, is preserved at Costessey. Several advertisements inserted in the *Maryland Gazette* make it evident that Jerneham had a private hospital in connection with his medical practice. The issues of February 10, March 20, and September 26, 1771, contain notices in regard to vaccination against smallpox, his prices for that service, and the number treated at his house. His original will is owned by Mrs. Jessie Thomson, of St. Louis, and copies of it are in the possession of Mrs. H. Q. Slye. It bears date November 19, 1772, and was witnessed by Eleanor Lancaster, George Slye, and Ignatus Craycroft. In this document the names of his five daughters are given as Frances Henrietta, Mary, Helloisa, Edwardinna, and Olivia; and those of his sons, Charles and Henry Tobias. A notice in the *Maryland Gazette*, September 9, 1773, signed by his wife Catherine and his daughter Frances, offers for sale the medical possessions left by Jerneham, various articles of furniture, etc. Jerneham appears to have been a man of considerable wealth and influence in his district.

The family connections alluded to in the postscript to the first letter can be readily made out, and the claims made confirmed. One learns from Playfair, *British Family Antiquity* (London, 1811), VI. 184, 185, that Sir Francis Jerneham (1650-1730), third baronet, married Ann Blount, aunt of Mary Blount, duchess of Norfolk; that his second son was Sir George Jerneham, fifth baronet, whose elder son, afterward Sir William, was married in June, 1767, to the daughter of Viscount Dillon, while his younger son, Charles, became a general officer in the service of the King of France; that Henry Jerneham, fourth son of Sir Francis, had five sons and three daughters; that the second of these sons, Henry, married and settled in America, had two sons and five daughters, and died in Maryland November 20, 1772; that the third son, Charles, became a general officer in the service of the Emperor and died at Vienna in 1802 at the age of 80; that the fifth son, Hugh, was a religious at Douay till 1793 when he died at Dover while returning to England

after the expulsion of the Franciscans from Douay; that the three daughters, Mary, Elizabeth, and Edwardina, were religious in the English Augustinian monastery at Bruges until 1794. The Jerningham and Dillon families, between whom marriage was not uncommon, were among the most famous of Catholic families in England and Ireland. Much of the correspondence of Frances Dillon (d. 1825), wife of Sir William Jerningham, was published in the *Jerningham Letters* (London, 1896), edited by Egerton Castle. An old pamphlet is conserved among the Jerningham papers entitled *Particulars illustrative of the Genealogy of Jerningham, or Jernegan, compiled from the Antient Family and other Records.*

JAMES ALEXANDER ROBERTSON.

I. DR. HENRY JERNINGHAM TO DON ANTONIO DE ULLOA.<sup>2</sup>

MARYLAND North America Mouth of Wicomico river

ST MARYS COUNTY Novem 28 1767.<sup>3</sup>

*Excellent Sir.*

I have inclosed to your Excellency a faithfull Copy of a letter dated New Orleans July 31, 1767. it having no nominal or manual signatur[e] Credit could not be given to it here; besides it hints only at the questions pointed at. permit me to request an answer more explicit. grant me also the favor of your pardon, if I undertake to acquaint you, that a British subject is free, that he may emigrate Where he pleases, in time of peace, nothing Can Stop him but his Creditors, Should he have any. your Court and governors of his Catholic Majesty, need be under no apprehensions, of Kindling any Jealosity in the Breast of the British Ministry on that account, because a Clearance from the officer of the port where the adventurers Would ship themselves as migrators is not only a passport and permission, but a positive assent of his Britannic Majesty ratified by his officer affixing his seal to it. the Letter of the 31 July says, lands are granted in property Without fee, or futur[e] taxation. it does not inform What is the lot of individuals, or What people of property, may purchase or What price. Was this certyfyed With the other proposed of the 2d May many Who are the descendants of pure noble and ancient Blood Would Settle among you. Objection: unless we have his most Catholic Majestys royal assurance of Irish or English priests the Migrants could not comply With the dutys incumbent of a Roman Catholic, nor have any spiritual consolation at the hour of death. this the letter Says his Catholic Majesty shall be incessantly consulted on; all that would enter to plant there familys among you could not have objection to taking the oath of allegiance to his Catholic Majesty, as their intention it Would be to become his subjects; in consequence, must conform to all the Laws and customs as every good Citizen Should doe Where he resides. None of the roman Catholics of

<sup>2</sup> Antonio de Ulloa, the first Spanish governor of Louisiana, arrived in Louisiana, March 5, 1766, and was expelled from the colony by the French citizens, November 1, 1768. See an account of his term of government in Gayarré, *History of Louisiana*, II.

<sup>3</sup> The original from which this transcript is made reads incorrectly, "1768".

this province have never betrothed there allegiance. Nor it never has been demanded of them by his Britannic Majesty. the fertility of your Soil and healthiness of the Climate are well Known from history, and converse With those Who have travelled and resided there. We have seen many letters from the Acadians to their Countrymen, pressing them to speed themselves to partake of their good fortune in that fruitful region. as they could not have been a Sufficient time in the Country, to render an account of it, and in general, but illiterate people not great confidence could be reposed in their relations; in many essential particulars they are very much Wanting. first how they are served or the natives in the Country, With priest or Missionars;<sup>4</sup> New Orleans, we Know, does not Want them. are the seculars or What religious orders are among you. we Know, since his Catholic Majestys late orders no jesuits reside in his Extensive dominions. your Excellency, May be assured, there are hundreds of roman Catholic familys here, to whom the advantages granted to the Acadiens Who are gone among you Would be a great blessing to them; but men of property and fortunes must Know before they dispose of their estates here on What terms they can acquire an equivalent among you w<sup>ch</sup> is not to be attained to by any other method, we can devise, than by your Excellencys information, so as to leave no further doubts among Us. you can not Expect, on such a treaty, any person to appear authorised With a public Caracter because it relates solely to the roman Catholics, Who Can not represent or serve, in any office under the British government. secondly tho the constitution does not impede his Subjects from migrating to any part of the globe Sound policy dictates to her as to all other nations, to encourage an encrease rather than decrease of their inhabitants.

I am your Excellencys most humble and obedient Servant,

HENRY JERNINGHAM, *m Doctor and Eques Anglicanus.*

P. S.

Your Subscribers father Was first Cousin of the present dutchess of Norfolk the 1st dutchess in Britain.

I am related to many of the prime nobility, roman Catholic in England—

My Eldest Brother died a Jesuit at Rome.

My younger Brother Charles is now Lieutenant Colonel in Regiment de Stampech Cuirassiers pour le service de son imp. Ré d'hongrie.

Hugo still younger a recollect at douay in french flanders.

three Sisters ann Elizabeth and Edwardina now living all religious at the augustins' nuns at bruges, in the Austrians netherlands.

My uncle Sir george Jerningham Knight and Baronet now Living, was in a public Caracter at the Court of Charles 12. King of Suede. his son lately marryed my lord dillons daughter and his youngest son is a lieutenant Colonel in the service of his C[h]ristian Majesty.

I have a wife and seven Children.

## II. JERNINGHAM TO ULLOA.

May it please your Excellency.

Sir:

If I presume to trouble you since my answer, to your 31 of July dated New Orleans 1767, it is to acquaint your Excellency that the

<sup>4</sup> That is, by members of any religious order.

bearer James Walker, is sent by his neighbours, to your Excellency to receive your information relating to the subject I have been Writing to you about in my letter of the 2d may 67, and nov. the same year, also in his own name, and that of his neighbours, begs your Excellencys permission to travel in the Country, and assistance of passports necessary therefore, that he may be able thereby to get information, and intelligence of the soil and Civil government in order at his return to satisfy his friends and neighbours, Who are desirous to settle among you. this same James Walker is a plebeyan and mechanic. his father and mother were Roman Catholics, and dyed in that faith. he was Christened in the same communion and has behaved as a good C[h]ristian, and moral man, With the Esteem of his neighbours, and those Who are acquainted With him; he possess[es] lands in freehold here, nor has he any other Views or intentions in his Expedition, but to enable himself at his return to render agreeable accounts to his friends, relations, and neighbours, that may encourage them to undertake the same voyage With their familys. he proposes With your Excellencys permission to remain some months, under your governmant, to see the produce of the soil, at the different seasons, the manners and Customs of the people, their Way of living, and how the Laws are executed, Questions every reasonable and thinking person Will be enquisitive about at his return.

I am your Excellencys most obedient and humble servant.

HENRY JERNINGHAM. *m. D et eques Anglicanus.*

December 14th 1767.

### III. ULLOA TO THE MARQUIS OF GRIMALDI.<sup>5</sup>

NUEVO ORLEANS II. de Febrero de 1768.

Don Antonio de Ulloa.

Noticias de los Catholicos de Mariland que quieren venirse á la Colonia.

Número 2.

*Excelentísimo Señor.*

*Mui Señor mio:* Los Catolicos de Marilanda aviendo recibido la respuesta anonima que les hize en 31 de Julio último: de que remiti copia á Vuestra Excelencia an buelto á escribirme con los Acadianos recién llegados:<sup>6</sup> y por las copias de las dos cartas que hé recibido de ellos y paso á Vuestra Excelencia se impondrá ampliamente en los terminos en que lo hácen: siendo signa[da]s, de que las haga reconocer.

Tambien verá Vuestra Excelencia que an embiado un sujeto de su confianza, de los mismos que pretenden venir á establecerse, para que se imponga en las circunstancias y seguridades que desean tener, como asi

<sup>5</sup> Minister of State.

<sup>6</sup> "Have again written me through the recently arrived Acadians." From January 1 to May 13, 1765, about 650 Acadians arrived at New Orleans and were sent to form the settlements of Attakapas and Opelousas. In February, 1766, another band of 216 arrived in Louisiana and were authorized to settle along both sides of the Mississippi, from the German Coast as far as Baton Rouge, and even as high as Pointe Coupée. Acadians had, however, been sent to Maryland as early as 1755 and 1756, and it was through some of these who migrated to Louisiana that Jerningham entered into communication with Ulloa. See Gayarré, *History of Louisiana*, II. 122, 132; and J. T. Scharf, *History of Maryland* (Baltimore, 1879), pp. 473-479. See also Professor Alcée Fortier's article on the Acadians of Louisiana in his *Louisiana Studies* (New Orleans, 1894), pp. 148-197.



mismo en la disposicion de las Tierras, y proporciones de ellas para venirlas á Poblar, abandonando alla sus poseciones y combeniencias que tienen.

Como este asunto toma ya alguna formalidad: y para condesender en el reconocimiento del Pais que há de hacer el Emisario se necesita alguna seguridad: hé tomado Ynformes de los mismos Acadianos: quienes sin discrepancia me confirman quanto dice la carta: esplicando que estas familias catholicas son las que fueron espulsadas de Ynglaterra en los tiempos de los alborotos de aquel Reyno sobre religion y en los posteriores á el: que conserbandose desde entonces en la Catholica en toda pureza, se hallan oprimidos y despreciados por el Dominio de los Protestantes: y que informados de lo bien recibido que há sido los Acadianos, y de estar bien hallados: sean propuesto mudar de domicilio sacrificando por la livertad en el uso de Religión, y estimacion de sus personas, los vienes raíses que poseen alli.

Con esta seguridad hé dispuesto que el Emisario Jacobo Walker pase con los mismos Acadianos hasta San Luis,<sup>7</sup> reconociendo las Poblaciones de los venidos en los dos años pasados, y con particularidad el desaogo y descanso conque se hallan ya los del mes de Julio último.

He dispuesto también que desde San Luis los conduzga una Barca por el Rio Colorado<sup>8</sup> 5 ó 6 jornadas á dentro, hasta el Rio de Cañas<sup>9</sup> para que vea la extensión de tierras con sus buenas proporciones: y bolbiendo á salir al Misisipy, lo lleven por el Estero de Chafalalla<sup>10</sup> á los Opelusas, donde vera otra Población bastante pingue de Acadianos, territorios bién extendidos y Prados donde se pierde la vista. Todo ello bá esplicado mas difusamente en las dos Ynstrucciones de que también remito copias á Vuestra Excelencia.

En esta forma será carta viva este sujeto en quién sus compatriotas hán puesto la confianza, y tendré poco que escribir para responderles á la suya remitiendome á los informes que el les hará.

Puede Vuestra Excelencia considerar que por este medio, si les quadra el Pais, bá de repente á Poblarse la Colonia populosamente con una especie de gente enemiga y [ir]reconciliable á la Ynglesa, por el desprecio y persecución en que les hán tenido; y que tanto quanto el Rey adquiera Vasallos se disminuie los de la Ynglaterra, persuadiendome á que será un torrente de Pobladores el que acudirá aqui en poco tiempo, si empiesan á benir dejando tanto bacio como el que aqui llenaren, en el Pais que abandonan: pues si Marilanda ofrece muchas mas de mil familias quantas serán las que darán las otras Provincias contiguas, al exemplo de las primeras: De lo que resultará de este reconocimiento avisaré á Vuestra Excelencia en primera ocasion.

Nada ay ya que hacer en esta matheria más que dejarlas venir, si se determinan á ello; pues si sucediere que llegue el sucesor que deseo, y hé suplicado á Vuestra Excelencia, quedará impuesto en los parages y

<sup>7</sup> This, of course, is the trading post of St. Louis des Illinois, the modern St. Louis, which had been founded only a few years before.

<sup>8</sup> The Red River of Louisiana.

<sup>9</sup> There is a Cane River on some of the old maps of Louisiana, in the old Opelousas district, but it flows southward into the Gulf of Mexico. This is evidently the Spanish name of one of the rivers that unites with the Red River at some little distance from the Mississippi—perhaps the Black or Ouachita.

<sup>10</sup> The Atchafalaya Bayou, the most northern of the mouths of the Mississippi, which has at times threatened to divert the water from the main part of the river.

modo como deve colocarlos que sean útiles á S. M. y al acrescentamiento de la Colonia, y en el de manejarse para lo subsesibo sobre el mismo asunto; sin que de ello se siga ninguna mala resulta con la Corte de Ynglaterra: Yo propio dejare escrito antes de ausentarme á aquellos Catholicos; afiansandoles en la confianza que devan tener con el sugeto que governare aqui; y les daré conducto para que me escriban á España en caso de que lo necesiten. Esto digo á Vuestra Excelencia para que no tenga desconfianza de que se malogre lo adelantado estribando solo en que se sigan las sendas que quedan ya trilladas.

Ofresco mi obediencia [á] las ordenes de Vuestra Excelencia con la más rendida voluntad y ruego á Dios le guarde la vida muchos años que deseo.

NUEBO ORLEANS y Febrero 11 de 1768.

Excelentísimo Señor,

Beso la Mano de Vuestra Excelencia

su mas seguro y fido servidor,

D. ANTONIO DE ULLOA (*rubric*).

[Addressed: "Excelentísimo Señor Marques de Grimaldi".]

3. *Letters of William T. Barry, 1806-1810, 1829-1831.*

For the following letters and extracts from letters we are indebted to Professor Isaac J. Cox. They are derived from a book of copies of letters of William T. Barry, Postmaster-General under Jackson, 1829-1835, now in the possession of Mrs. Walton C. Hill, of Newport, Kentucky. The first two were addressed to his oldest brother, John Barry. The third is an autobiographical fragment in a letter ostensibly addressed to his infant son. The remainder were written to his daughter, Mrs. Susan Taylor of Newport, Kentucky.

Barry was born in Virginia in 1785, was graduated from the College of William and Mary in 1807, represented Kentucky in the House of Representatives in 1810-1811 and in the Senate in 1815-1816, and held high judicial office in his state. When appointed Postmaster-General in March, 1829, he had lately been defeated as Jackson candidate for governor of Kentucky. It is familiar that he was the first Postmaster-General to be admitted to a seat in the Cabinet. Resigning in 1835 to become minister to Spain, after an unsuccessful administration of the Post-Office Department, he died on his way to that country. His letters, mostly occupied with family matters, reveal an affectionate nature, expressing itself conventionally but warmly, an anxious desire to improve by self-education, and a mind of but ordinary capacity. The letters and extracts selected for publication, while they contain nothing of importance that is wholly new, cast an interesting light on two important political episodes. During the last part of his public service Barry felt considerably embittered against those who surrounded Jackson and,

as he thought, used the latter for selfish purposes; but he retained still a great admiration for his hero.

I. WILLIAM T. BARRY TO JOHN BARRY.

LEXINGTON, December 6th, 1806.

*Dear Brother:*

I have received yours of the 19th Ultimo, written in Pittsburg. Its contents astonished me much, but I was not surprised to find that S.<sup>1</sup> is the confidential friend of B. . . .<sup>2</sup>

He is a young man of striking character. His passage thro' life has been marked with uncommon incidents. I felt a great regard for him, and feel glad he went off, least he should have gained too much on me. But give my compliments to him if you see him. We differ in our political views, but I regard him as a man of honour and a gentleman. The times appear big with events. B. . . . and his party are worthy of much attention. They ought to be watched. The Executive of the U. S. must be greatly embarrassed. Tom's Philosophy will not do in these calamitous times; as Randolph observed, it is necessary to have a little energy. J. Davis<sup>3</sup> has renewed the prosecution against B. . . .; how it will terminate I can't say.

He has also indicted Genl. Adair for the same or a similar offense. A few days will ascertain the result. Sebastian is completely disgraced. It is proven incontestably that he has for some years received a Pension of \$2000 per annum. The Legislature is in a great ferment and talk of unmaking two more of the Judges of the Court of Appeals, viz., Muter and Wallace; if they do not resign, I conjecture they will be removed. Thos. Todd, one of their brother Judges, is anxious now for their removal, and says that in consequence of their imbecility all the duties of the court devolve on him. The confession of Judge Innis, who was called on as a witness against Sebastian, has astonished the country and established beyond doubt the existence of a former Spanish Association. When he produced the evidences of it, it was done with much reluctance; he cried like a child, was attacked with a Vertigo that night, and was under the necessity of being bled twice. Thus it is that weak men, innocently inclined, when entrapped by the arts of the ingenious and intriguing, feel ashamed and abashed at the development of their own folly. Like a pendulum, oscillating from virtue to vice, one half of his life spent in sinning and the other in repentance. The enemies to the N. World<sup>4</sup> literally know not what to do or say. Wm. Little<sup>5</sup> has just completed a pamphlet of more than a hundred pages, in order to prove that no Spanish Association was ever formed. Its object was to exculpate John Brown and Sebastian, etc. The very evening it came from the press in Frankfort, Sebastian gave the lie to it, by a full and open confession. This at a single blow overturned the fine fabric of the Apostle's missionary construction. Old Bradford,<sup>6</sup> etc., had spoken

<sup>1</sup> Perhaps Senator John Smith of Ohio.

<sup>2</sup> Burr. The letter was written the day after the grand jury at Frankfort discharged Burr.

<sup>3</sup> Joseph H. Daveiss, the Federalist district attorney.

<sup>4</sup> *New World*, meaning the *Western World*, Wood and Street's newspaper.

<sup>5</sup> William Littell, *Political Transactions in and concerning Kentucky* (Frankfort, 1806).

<sup>6</sup> John Bradford of the *Kentucke Gazette*.

highly of this work of Little's, and recommended it to many of his acquaintances as a work of merit, and one calculated to correct the mistaken notions produced by the falsehoods of the New World. But now he looks like the solemn Owl and says nothing; he does not even make a noise after night. I am anxious to hear from you again and hope it will not be long before I have that pleasure. Inform me when you expect to return. We have cold weather here and a deep snow on the ground.

Your affectionate Brother,

W. T. BARRY.

To Doctor John Barry from Kentucky, Philadelphia.

II. W. T. BARRY TO JOHN BARRY.

LEXINGTON, KY., January 2nd, 1807.

*Dear Brother.*

Yours of the 1st and 10th Ult. came together by this day's mail. I feel much indebted for the important information they contain. I was only surprised at one thing, and that is that the British Government and B. . . . should be co-operating. I would rather conjecture that it is the Spanish and French Govts., from the conduct of the Ministers of those Countries resident in the U. S. The Marquis of Irugo<sup>7</sup> is certainly friendly to the views of B. . . ., and if B's plans are against the Spanish provinces, Irugo is betraying the cause of his Sovereign. Another thing, why do not the French and Spanish Ministers remonstrate with our government against the machinations forming to injure their provinces? I am informed the British Minister disclaims any connection with the party and has informed the Secretary of State, Mr. Madison, that the existing conspiracy has its origin in New Orleans. This is certain, and detailed to me by an agent of the U. S. There is great noise here; people are cursing B. . . . and all his adherents. The would-be Lexington Franklin, alias Bradford, has publicly declared that B. . . . is the greatest rascal in the world; that his opinions are entirely changed with regard to him. But this change is easily accounted for; times have been eventful since you left this. In a former letter I mentioned the election of Pope,<sup>8</sup> the resignation of Adair,<sup>9</sup> and the election of Clay in his stead. Bibb was elected to fill Clay's place in the State Legislature. The sickness of his family caused him to resign very soon. I was elected in his place, and continue a member yet. The Session closed last Saturday; we were in conclave two or three days, and had many of B's plans disclosed. Mr. Graham, Secretary of N. Orleans, had just arrived from Washington. He bears a Commission from the President of the U. S. authorizing him to enquire into the traitorous plans that are formed, and to arrest offenders against the laws. He detailed to us all he knows, which is too tedious to mention in full. He says, the first object is an attack on N. Orleans to get possession of the publick treasure which is upwards of two million, arms, etc.; to keep possession of that place; to revolutionize the Spanish provinces and establish an independent Govt. distinct from the U. S. and ultimately to bring about a separation of the Union. This information has come from

<sup>7</sup> Irujo.

<sup>8</sup> John Pope, elected senator from Kentucky for the term 1807-1813.

<sup>9</sup> From the United States Senate. Henry Clay, elected in his place, sat from December 29, 1806, to March 4, 1807.



Blannerhasset, thro' a gentleman who he tried to seduce from his country. Mr. Graham has Blannerhasset's letters to this gentlemen offering him a Commission if he would join. Graham conversed with Blannerhasset himself and understood from him enough to satisfy him that a plan as above mentioned, was formed. Everybody is now convinced that B. . . . is a traitor. The Secretary of War, Dearborne, has writtten to the Governor of this State, directing him to order out the Militia to the amount of 200 or 300 men, which has been done. Some are stationed at Newport, opposite Cincinnati; some at Louisville, and some at the mouth of the Ohio, to stop the boats of B. that attempt to descend. The Legislature of this State passed a law authorizing the arrest of persons who are engaged in the project. The State of Ohio passed a similar law and the Militia in that State are ordered out. Wilkinson's Army have gone with him at their head, to N. Orleans. This movement is unaccountable, and it is supposed to be unauthorized by Govt; if so, a blow is struck at N. Orleans e'er this. B. . . . left this more than three weeks ago. He is said to have gone from here to Genl. Jackson's in two days; he travels night and day. Genl. Adair has followed him. George Adams followed him to Nashville, and will, I suppose, go down the river. Everything is in commotion here. You mention Martin D. Hardin's being in Philadelphia; he is said to be an agent of Genl. Adair's; his departure from this State was sudden and unexpected. It is the general opinion that Adair is in the project. There is no doubt that Genl. J. of Tennessee<sup>10</sup> is; he is to furnish 500 men. 80 men have been enlisted for B. near Vincennes. Blannerhasset descended the river about three weeks since. Part of his boats were stopped; he had to run off and leave his wife at Marietta. Comfort Tyler, it is said, has passed Cincinnati in the night and gone on down the river. A great many young men have descended the river; but if any are behind, they will be stopped if they attempt to go down now. B. . . . sold bills of exchange in this place to the amt. of \$42,000, and it is expected they will all be protested; if so, it will ruin some of the Merchants here. I shall be sorry for some, but for others I am not. Sanders purchased \$15,000, Craig \$4,000, Anderson \$5,000, and others the balance. The prospect of losing money has touched the Merchants in a tender place. Their country may go to ruin, and they will sit calm in their counting houses, but touch the strong box, and they are aroused immediately. It pleases me to think that the servile, syncophantic, parasites of B. are now paying for the honour of his acquaintance. They have submitted to be trampled on, and then pay the man who has abused them, like the servile spaniel, who licks the foot that kicks him. I could say much more but have not room in a letter. I expect to see you soon, when we can talk this matter over. My part in the great Tragedy about to be performed is pointed out by the finger of virtue and patriotism. I will sacrifice all that is dear to me, before I will injure my country.

Lucy sends her love to you. Our friends are well.

Your affectionate Brother,

W. T. BARRY.

To Dr. John Barry, Philadelphia, Pennsylvania.

<sup>10</sup> Andrew Jackson.

III. W. T. BARRY TO HIS INFANT SON.

October 2nd, 1810.

... I was born in the County of Lunenburg, Virginia, of honest Parents, obscure and humble in life; with property enough to make independent and place them far above the reach of want, but not enough to bring them in the most distinguished circles.

I was the youngest of four children, three brothers and a sister. My father, altho' not a man of education himself, was impressed with its importance and resolved to give his children as good an education as his circumstances would admit of. After going to an English school, my oldest Brother was sent to an Academy in N. Carolina, where he made rapid progress in his studies and was distinguished above his fellows for quickness of parts; after completing a College Education he studied Physic and entered upon the practice, as I shall hereafter have occasion to mention. My second Brother and myself were at school together; we were constant companions in all our engagements and amusements. We went to the Latin School and commenced the study of that Language; together we learnt the grammar. The school broke up. He went to keep store with a country merchant, I remained at an English school. He afterwards went to keep an Apothecary Shop in Petersburg.

In the year '96, when I was about 13 years old, my Father removed with his family to Kentucky and settled about 7 miles from Lexington. My eldest Brother still continued to study Physic. My Brother Leonard and myself were sent to the Kentucky Academy in Woodford.

IV. W. T. BARRY TO MRS. SUSAN TAYLOR.

WASHINGTON, 16th May, 1829.

*My dear Daughter,*

I am happy to hear by your letter of the 3rd of the good health of your family and our friends at Belle Vue.

Yesterday's mail brought me a letter from my dear John.

He writes in good spirits and says his health is much improved. He made a good impression here, especially on the mind of the Secretary of War.<sup>11</sup> I find that slander has gone abroad against the amiable lady of this gentleman. I was not acquainted with her until I came to the City.<sup>12</sup> She appears to be an artless, sincere and friendly woman. She may have been imprudent, as most of the ladies here are, but I cannot believe she was ever criminal. Major Eaton is himself, one of the most estimable men I ever saw; he is the confidential friend of the President, and has quite as much, rather more, weight with him than any other member of the Cabinet. The truth is, there is an aristocracy here, as there is in all places, claiming preference for birth or wealth, and demanding obeisance from others, they allow none but sycophants who cringe to them to have standing or character. Mrs. Eaton was the daughter of a Tavern-keeper belonging to the democracy, she has by good fortune (if it may be so considered) moved into the fashionable world. This has touched the pride of the selfconstituted great, awakened the jealousy of the malignant and envious, and led to the basest calumny.

<sup>11</sup> John H. Eaton.

<sup>12</sup> But in a letter to his wife, February 24, 1815, Barry mentions as one of the *gréments* of his boarding house "a charming little girl, the daughter of Mr. O'Neal, who very frequently plays on the piano and entertains us with agreeable songs". Presumably this was the future Mrs. Eaton.

You must receive with caution what comes through the family of Judge. . . . He wanted to be Secretary of War; Eaton was preferred to him and he is a disappointed man. Selfish and ambitious, he has thought of himself more than of his friends or *country*. His character was known and he was not wanted in the Cabinet. This, of course, is confidential. But it is true. The President and his family (a most interesting and amiable one) are on terms of intimacy and friendship with Major Eaton and his, so are the other heads of Department. As to myself, I am now living in Major Eaton's family. I remained some weeks at Gadsby's Hotel, but as soon as Major Eaton commenced housekeeping he offered me a room with such sincere evidence of friendship and regard that I could not decline it. His servants, carriage and horses, are all at my command. He has treated me like a brother; offers me his name in making any pecuniary arrangements I desire, and does everything to make me comfortable. Both he and Mrs. Eaton treated our dear John with marked attention and kindness whilst he was in the City, and it is no small matter for a Cadet to have the good will of the Secretary of War. I have been thus particular because of the calumny that is abroad. If rumor were to be credited, but few handsome ladies in the fashionable world in the City would be free from blemish. The world is bad enough; helpless women are exposed to innumerable dangers; they often err, but men are most to blame, and the Slanderer, above all characters, I most detest.

I have been much occupied with my public duties. They are becoming more familiar to me, and I shall get along very well with my friends; the approbation of my enemies I do not calculate on. In appointments I am cautious; the government here are often deceived and, of course, make some bad selections. But where abuses have been practiced, *changes* are and ought to be made; it is not done in other cases. Your Post Master at New Port, and all others like him who have acted well, are safe. But those who have abused their privileges, circulated *Coffin* hand bills, abused Mrs. Jackson, and acted partially in their stations, ought not to expect to remain in office. It should be recollected that offices are not private property; they belong to the public; those held at the will of the President, ought to expect to go out when they lose his confidence. In my station I lay aside personal feelings, unless duty comports with their gratification. It would have afforded me pleasure to have appointed Mrs. Taylor's brother to the P. Office at Maysville, but the views of the President were, of course, controlled by the wishes expressed of the people of Ky. and especially of the members of the Legislature in favour of Mr. Marshall. I have made changes at Frankfort and Louisville against my feelings, but policy called for them; indeed, justice to the administration required it. Mr. Clay is at Work; his partisans who have abused their stations and who are still devoted to his interests cannot or ought not to remain in office.

It is quite probable that by the time you get this letter your Mama will be with you. Request her to travel slow and not fatigue herself or the children. I have made arrangements for them on from Wheeling, and will, if I can, meet them on the road. She will come in handsome style, comfortable, free from expense (save Tavern bills, etc.), and with kind and marked attention everywhere. I have invited your Uncle John W. Overton to come on. General Jackson says he shall have employment here. It is probable I shall find a place for him in my Department.

I shall doubtless call frequently on Mr. Taylor to aid me in my business in Ky. and Ohio. I hope fondly and shall expect from you and him a visit, after we are fixed here.

Kiss your dear little ones for me, and present me kindly to Mr. Taylor and all the rest of my friends that are of the family.

Your affectionate Father,

W. T. BARRY.

V. BARRY TO MRS. TAYLOR.

[WASHINGTON, June 11, 1829.]

Developments are constantly making here, of frauds and peculations upon the public treasury, practiced in the late administration, that will justify removals and awaken public indignation. It cannot be expected of any administration, to keep near them in offices of high trust and confidence, personal or political enemies. Removals awaken sympathy that is momentary and passes off, whilst the silent but constant influence of official station and power is continually operating.

It is not necessary to act from a spirit of vengeance in punishing enemies, but it is right and politic to encourage and reward friends; it tends to animate, whilst the opposite course would discourage and distress them. Besides it is no punishment to restore men to all the rights of citizens. Public employments must necessarily and ought to be upon the principle of rotation in office. The sentiment of monarchy is growing rapidly; men and their friends cling to office and lay claims to it as private property, and cry out robbery if they are turned out. These men that complain so loudly thought it no robbery, nor did I, to turn the new Court Judges out of office.<sup>13</sup> If Adams had succeeded, what would have become of the friends of Jackson? This question should be answered. Do we turn out men that the Democratic party wish retained? Are the real friends of General Jackson and his administration displeased; would they rather have enemies than friends in office?

If the great body of public officers are to be retained, why change the head of the nation. Those who prefer the calm of perpetuity in office, would certainly be better pleased that the Executive head be made permanent. This will not suit a republic; it was not the case in Greece or in Rome. Republics are necessarily agitated and excited; when they cease to be so, the calm ends in monarchy and despotism. But I have not time for further speculation. Show this letter to my friends, Col. Tibbatts and Mr. Taylor, as I have so little time to write one letter must do for all, and as I have begun to answer you, have concluded to write a little to them. . . .

VI. BARRY TO MRS. TAYLOR.

[WASHINGTON, June 25, 1829.]

How uncertain are the pleasures of this world. Your Mama, who has seen so much trouble, had brightened up with new prospects of happiness. Day before yesterday we were to have dined with the British Minister, yesterday with the President, but, alas, we have been

<sup>13</sup> As to Old Court and New Court (of Appeal), see Sumner's *Jackson*, pp. 127, 133. Barry had been chief justice of the New Court, abolished at the end of 1826.



at the bedside of our dear child. And Mrs. E. . . . (this much slandered lady)<sup>14</sup> declining the invitations to dinner, has had poor Leonard in her arms day and night without sleeping, nursing him as tenderly as her own child. General Jackson is remarkably kind. He quit his company at an early hour after dinner, came to our lodgings, sat by our dear babe for two or three hours, encouraging us and animating the Doctors to persevere in their remedies. We have strong hopes, but are preparing for the worst. . . .

VII. BARRY TO MRS. TAYLOR.

WASHINGTON, 25th February, 1830.

*My dear Daughter,*

I have received yours and the one enclosed to your dear Brother John, which is forwarded by today's mail.

We are all well at home, and dear Armistead is still improving, as I learn from a letter of the 22nd from a friend at Philadelphia, who called on him. You speak of rumours that a division exists in the Cabinet. I say to you, and Mr. Taylor and John, what I say to no others but my own family who are near me, politically speaking there is no division, but some unpleasant circumstances have occurred to affect the harmony of social intercourse between the females of some of the families, originating probably, and stimulated by ultimate political views of aspirants to office. Major Eaton is known to be the intimate friend of the President. The extreme jealousy of some of Mr. Calhoun's friends induces them to believe that Major Eaton is rather more friendly to Mr. Van Buren than to Mr. Calhoun.

They fear his influence will control the Executive patronage in favor of Mr. Van B. They want him to leave the Cabinet, and are willing to give him any other office whatever. The President brought Major Eaton in against his inclination, and will not part with him. To compel him to do so, is the cause of the attack on Mrs. E. Judge McLean, Mr. Berrien and others, who are now unwilling to exchange civilities with Mrs. Eaton, were *present* at her marriage to Major E., and it is believed if Major E. were not now in the Cabinet, that Mrs. Eaton would be unmolested. I am on good terms with all the members of the Cabinet, and so is Mrs. B. with the families of all, but we would not join in the prosecution of Major and Mrs. E. Mr. Van Buren and myself thought, and have acted, alike on this subject; so does the President. The females of the President's family until lately did not exchange civilities with Mrs. E.

The gentlemen, Mr. Ingham, Berrien and Calhoun are, and have been all along, personally friendly with and civil to Major E. (Mrs. Calhoun is not here). Mr. Branch and Major E. had a personal difference. Mr. Berrien and myself were present at an interview between them; they were reconciled and are now friends. Harmony prevails at present, personally as well as politically. On the 23rd Inst. we had a Cabinet dinner. All were present but Mr. Berrien, who was sick. Mr. [Mrs.?] Eaton and Mrs. Donaldson and the other ladies were present and exchanged the usual civilities. A few impudent men and women of our own party, stimulated by the coalition, still are busy with Mrs. Eaton's character. She, however, is sustained by the Foreign Ministers; indeed,

<sup>14</sup> Mrs. Eaton.

a favourite with some of them because of her prosecution, and by many members of Congress of both houses and their families. Society is unhappily divided about her, but her circle of acquaintance is large and respectable. My family visit all parties and will continue to do so. I will not join the band of calumniators and will stand by and sustain Major E. against such vile assaults; but his and Mrs. Eaton's difficulties are not mine, nor do they desire me to consider them so. I believe my course has endeared me to General Jackson; it has to Major E., and some of Mr. Calhoun's friends are jealous of me, but utterly without cause, for I like Mr. C. as I do Mr. Van B., but I like General Jackson better than either, and will allow myself to think of no other candidate for the next Presidential term but General Jackson, and this should be the language of all friends; it will prevent divisions in our own ranks. I have not time to add more, but may continue the subject hereafter when I have leisure. My love to all our friends, Mr. Taylor and your sweet babes.

Your affectionate Father,

W. T. BARRY.

VIII. BARRY TO MRS. TAYLOR.

[WASHINGTON, May 24, 1831.]

I cannot say at this time when I shall visit Kentucky. The late changes in the Cabinet makes it necessary for me to remain near the President until the new Secretaries arrive. Judge White, on account of domestic affliction, having recently lost his wife, and one of his only two remaining children being now in the last stages of consumption, declines accepting the War Department. It is not yet determined whom it will be offered to next. P. P. Barbour of Va. and Col. Drayton of So. Carolina are talked of; it will most probably be the latter. You will see from the papers that Mr. Branch has gone off in a pet; however, since he arrived in No. Carolina he has regained his senses, and says, in accepting an invitation to become a candidate for Congress, that he will, if elected, support the measures of the present administration. Mr. Ingham, it is believed, will behave more prudently; he will probably remain in the Treasury Department until Mr. McLane returns from Europe, and then, if he desires it, go as Minister to Russia in place of Mr. Randolph, who is expected to return home this fall.

Mr. Van Buren will, if he desires, go to England. Major Eaton returns to Tennessee for a season, not decided on his future course. I shall remain, not for the reason assigned, that the President would not accept my resignation until I clear up the charges against me; this story got afloat in consequence of a remark of the President to Mr. Branch, who very indelicately asked the President when he was informed by the latter of the necessity of reorganizing his Cabinet and shown the resignation of Mr. Van Buren and Major Eaton, what I intended to do, the President replied that when appraised of the resignations of Mr. Van Buren and Major Eaton, that I had promptly tendered mine, which he declined accepting, at which Mr. Branch expressed some surprise at the discrimination in my favour. The President, to save his feelings as much as possible, instead of stating the real cause, that I had done nothing to forfeit his confidence, remarked that I had been wantonly assailed, in a manner that no other member of the Cabinet had, and that

if it were proper for me to retire he would not consent to it, as it might be cause of triumph to my unprincipled persecutors. I was advised of Major Eaton's and Mr. Van Buren's intentions long before they were sent in, and was advised with as to the propriety of their course. It was not known whether the other members of the Cabinet would resign or whether General Jackson would be compelled to remove them. To cut off all excuse and open the way for freedom of action on the part of the President, I offered my resignation. When I did so he instantly said "No, there is no cause for your retiring; I have reluctantly parted with my confidential friend, Major Eaton, and I want you to remain with me whilst I am in office." Mr. Berrien is yet absent; it is not known whether he will resign or not; if he should, as is probable, in the event of Col. Drayton's appointment to the War Department, the Honorable Mr. Bell of Tennessee will be Attorney General. If P. P. Barbour of Va. should be made Secretary of War, the Honorable J. Buchanan of Penn. will be Attorney General. The President enjoys good health. Mr. Livingston and Mr. Woodbury are here. In future we hope for harmony and united action. A great Jackson meeting was held in this City last evening. They adopted resolutions approving of General Jackson's administration and recommending his reelection for another term. General Duffe Green attended, affected to be friendly, but advocated resolutions that he procured to be offered, expressing confidence in J. C. Calhoun and recommending him again as a candidate for the Vice Presidency. His resolutions were rejected by an overwhelming majority. . . .

## REVIEWS OF BOOKS

### BOOKS OF ANCIENT HISTORY

*Roman History and Mythology.* Edited by HENRY A. SANDERS.  
(New York: The Macmillan Company. 1910. Pp. iii, 427.)

THIS collection of scientific papers by former pupils of Professor Sanders, and presumably written at his suggestion and under his supervision, makes contributions of value in the solution of several important and perplexing historical problems.

The first article in it (pp. 1-159), by Orma Fitch Butler, which bears the title *Studies in the Life of Heliogabalus*, contains in its three main chapters an analysis of the critical literature bearing on the "*Scriptores Historiae Augustae*", a history of the years 218-222 A. D., and a critical examination of the *Vita Heliogabali*. Perhaps there is no more complex series of questions in higher criticism than is presented by the *Historia Augusta*, and it would be hard to find a more interesting episode in historical study than is furnished by the attempts which scholars have made to solve the problems involved. The questions which this piece of literature raises concern the date of composition of the several Lives, their sources, authenticity, and historical value. The way in which each of these has in turn been made the central point of attack since 1838, and the methods which have been used in investigating them, by studying the historical references, the dedications in the manuscripts, the language, and even the rhythmical structure, have been analyzed and set forth with admirable skill in the preliminary chapter. The most important original contribution which the paper makes consists in a critical examination (pp. 109-157) of that portion of the *Vita* (chs. 1, 4-2, 3; 3, 1-18, 3) which deals with the history of the reign of Heliogabalus. The historical accuracy of these chapters is tested by comparing them with a history of the period which the writer reconstructs from other sources. Both these parts of the monograph show learning, critical acumen, and good judgment, and the author's method of attacking the question is sound.

Similarly, John Garrett Winter's treatment of the Myth of Hercules at Rome (pp. 171-274) resolves itself into two main parts—a preliminary study of the modern literature dealing with the Hercules story, and an attempt to resolve the myth into its elements and to determine the earliest form which it took at Rome. The writer concludes that "Hercules was not a home-spun Italic deity", that the Cacus element was not a part of the original story, that the Greek Herakles myth and



worship were introduced into Rome from both southern Italy and Etruria, and that the tithe was probably of Phoenician origin.

Roman Law Studies in Livy (pp. 275-354), by Alvin E. Evans, furnishes an interesting body of material, which to be complete must be supplemented from other sources, and so far as the questions are concerned with which it deals constitutes a useful contribution to our knowledge. We could have wished, however, that in addition to the points for discussion mentioned on page 325, and later, the author's plan had included a consideration of the development of tribunician jurisdiction, the responsibility to the popular assembly of different classes of magistrates for their political action, and certain other related matters. The last paper by Laura Bayne Woodruff on Reminiscences of Ennius in Silius Italicus (pp. 355-424) falls outside the field of this journal.

FRANK FROST ABBOTT.

*The Monuments of Christian Rome from Constantine to the Renaissance.* By ARTHUR L. FROTHINGHAM, Ph.D., Professor of Archaeology and Ancient History at Princeton University. [Handbooks of Archaeology and Antiquities.] (New York: The Macmillan Company. 1908. Pp. vii, 412.)

IN this work the author does not exceed the limits expressed by the title. He has not attempted to write a history of Christian art in Rome, but has confined himself to an account of the monuments of architecture, painting, and sculpture between the era of the persecutions and the Renaissance. The subject is dealt with in two sections. In the first there is a chronological account of the principal monuments and in the second these are systematically classified as Basilicas, Campanili, Cloisters, Civil Architecture, Military Architecture, Sculpture and Painting. The work is not at all technical and makes no elaborate pretense at describing details of style or construction. Though he frequently touches on the subject, the summary character of the historical survey may be the author's excuse for not having discussed expressly the origins of Christian art. This is all the more to be regretted because the various influences which were at work within Christianity itself, and which were being gradually moulded to its new concept of life and society, would seem to form the necessary background for a detailed exposition of any phase of art, which the author himself considers to have been "as integral a part of civilization as politics, religion, sociology or literature". Some of the historical statements, closely interwoven with the central theme, may be open to serious exception. Thus (p. 38) the author says: "The origin of monasticism was due to the bitterness of the delusion of the really religious, who saw that, since fashion and authority had stamped Christianity with their approval, the Church as a unit had become infected with most of the soft vices of paganism." Such an assertion is hardly in keeping with the facts in the history of

the development of Christian asceticism, and utterly ignores the prevailing tendency in theological thought and philosophic teaching outside as well as inside the Church. On page 39 we read: "The establishment of Christian festivals on the same dates as pagan ones, and with analogous ceremonies, made it easy for the populace to pass over to the new faith without the loss of the pomp and circumstance and play that were so necessary to these materialists, however reformed." This confusion of popular festival and liturgical observance is very common, but it is based on an utter misconception of the character and history of the Christian liturgy, which was such a potent factor in determining some lines of artistic effort.

The author's expressed hope that the book "may serve in the classroom" would be more certain of realization had he provided it with a good bibliography, or with adequate references. The work contains much food for discussion, and it would be satisfactory at times to know where some of its views are stated more in detail, and on what foundations they rest. Taken as a whole, however, the work is an excellent and painstaking presentation of an interesting subject.

*La Campagna Romana, Antica, Medioevale e Moderna.* By GIUSEPPE TOMASSETTI. Volume II. *Via Appia, Ardeatina ed Aurelia.* (Rome: Ermanno Loescher and Company. 1910. Pp. xi, 562.)

WITH this second volume<sup>1</sup> begins the principal part of this monumental work, that is, the history and description of every part of the Campagna. The division is geographical, and the itinerary of the author follows the line of each of the great roads that stretch out in all directions from Rome. The first three in alphabetical order, Appia, Ardeatina, and Aurelia, are contained in the present volume, four-fifths of its space being devoted to the Appia, which was not only the most famous and interesting in antiquity of the *viae* that crossed the plains of Latium, but also the most important in medieval and modern times on account of the towns situated on its line, such as Albano, Genzano, Velletri, and Anzio.

The method adopted is to give first a brief historical notice of the road itself, with a description of its course and monuments within the city of Rome. This is apt to be done in a somewhat perfunctory and not very satisfactory way, and the author's knowledge of the topography of the city leaves somewhat to be desired, as is illustrated by his acceptance of Canina's theory of the location of the Porta Fontinalis. After this introductory matter, each site on the road or in its immediate vicinity is taken up in order. In the case of the more important places a bibliography is given of all works dealing expressly with the site in question, omitting general works that treat of others as well. This is followed by a résumé of the history of the place in antiquity if it dates back so far, information as to the character and publication of its

<sup>1</sup> For a notice of vol. I. see this REVIEW, XV. 831.

inscriptions, and an enumeration of the most important works of art that have been found in the vicinity. This section is generally only introductory to the history of the site in medieval and modern times. Here the author gives an abstract in chronological order of the information that he has collected from earlier publications and from his own researches in state, family, and municipal archives, as well as from investigations on the spot. This matter is accompanied by comments and is followed by a description of the medieval monuments that still exist. What we have, therefore, in the case of the principal towns, is a series of virtual monographs of considerable extent, forty pages, for instance, being devoted to Albano.

The amount of labor involved in this research has been very great, and the extent and variety of the material that has been investigated may be illustrated by the first abstract concerning Velletri, which is found in a letter written in 496 A. D. by Pope Gelasius I. to the Bishop of Velletri, with reference to a runaway slave who had taken refuge in the church of S. Clemente in Rome. The work has been done with great care and patience, and the result is in most cases eminently satisfactory. Now and then one might wish that the sifting had been a little more careful and that some extraneous matter like the full description of the contest between Milo and Clodius, or the panegyric pronounced upon a certain worthy matron of Cività Lavinia, of the eighteenth century, had been omitted. Exception might also be taken to identifications like that of Osteriaccia with the inn where Horace spent the first night out from Rome on his famous journey to Brundisium, but in general full meed of praise is to be ungrudgingly bestowed upon the veteran scholar who has done more than any one else to interpret the Campagna to those who would read its meaning.

When the third volume of this book is published, and the remaining parts of Ashby's notable studies on the Classical Topography of the Campagna in the *Papers of the British School in Rome*, we shall have a historical description of this region more complete and comprehensive than exists for any other.

SAMUEL BALL PLATNER.

#### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Regesta Pontificum Romanorum.* Iubente Regia Societate Gottingensi congeffit PAULUS FRIDOLINUS KEHR. Tomus I. *Italia Pontificia sive Repertorium Privilegiorum et Litterarum a Romanis Pontificibus ante annum MCLXXXVIII Italiae Ecclesiis, Monasteriis, Civitatibus, Singulisque Personis Concessorum.* Volume III. *Etruria.* (Berlin: Weidmann. 1908. Pp. lii, 492.)

THE character and purpose of this new edition of the letters and privileges of the Roman pontiffs and the manner in which it differs in order and arrangement from the edition of Jaffé have been fully de-

scribed in the notice of the first and second volumes which appeared in the AMERICAN HISTORICAL REVIEW, XIII. 318. This third volume contains the *Acta Romanorum Pontificum* relating to Etruria or Tuscany. It is not the fault of the editor if the name Etruria or Tuscany does not convey a clear idea of geographical limits to the mind of the historian; for Italian provinces and principalities in the ease and frequency with which they contracted or expanded their boundaries have a character almost as misleading and a meaning sometimes more confusing than Burgundy itself. As the *Regesta* in this edition are arranged according to dioceses, an additional element of confusion arises from the fact that ecclesiastical geography is made the basis for subdivisions of territory which was purely civil in character. That this disposition of the material does not make for clearness is evident from the fact that the correspondence of the popes with Mathilda, countess of Tuscany, is to be found in another volume under Canossa, notwithstanding the fact that this volume in addition to the documents addressed to churches and monasteries contains some which were sent to different rulers of Tuscany. In his introduction Kehr has wisely made no attempt to justify or explain his method of division, and while calling attention to the fact that many dioceses which in the Middle Ages belonged to Etruria are dealt with in other volumes, he here limits himself to the twelve dioceses of Florence, Fiesole, Pistoia, Arezzo, Siena, Chiusi, Sovana, Grosseto, Massa Marittima, Volterra, Pisa, and Lucca.

There can be no doubt but the plan which is followed in this edition of the *Regesta* is one which would lend itself admirably to the preparation of such a work as the projected *Germania Sacra* of Kehr and Brackmann but it will always remain an open question among historians whether the chronological order of Jaffé was wisely abandoned. Correspondence is of course equally important when arranged either according to the sender or the recipient. Those investigators, however, whose work is to study periods or pontificates cannot but regret the necessity of seeking their material in every volume of this edition. On the other hand, no better arrangement is possible for the study of the history of localities or separate churches. One serious drawback in Kehr's work, which cannot fail to strike even the casual reader, comes from the cumbersome manner of reference to which it will be necessary to resort. The documents are numbered according to volumes so that the volume as well as the number must be indicated. This method cannot fail to be irksome as it is necessary to refer to the *elenchus* in the beginning of each volume for the serial number. A reference to the volume, page, and number of the document on the page will sometimes lead to extreme confusion, as for instance on page 103 of this volume three documents are numbered one, the number referring to three different recipients. Making due allowance for the objections which may be raised regarding the peculiar manner in which the materials are arranged there can be no question regarding the completeness with which the new edition has demonstrated its superiority over the old. Of the 1501 documents here



presented only 754 are to be found in Jaffé and his continuation. This fact alone, not to speak of the wealth of critical references to sources and the well-selected bibliographies at the head of each chapter, will make the work absolutely essential for the study of early and medieval church history.

PATRICK J. HEALY.

*History of the Christian Church.* By PHILIP SCHAFF. Volume V., Part II. *The Middle Ages, from Boniface VIII., 1294, to the Protestant Reformation, 1517.* By DAVID S. SCHAFF, D.D., Professor of Church History in the Western Theological Seminary, Pittsburg. (New York: Charles Scribner's Sons. 1910. Pp. xi, 795.)

THIS work closes the gap in the row of broad-backed tomes which the University of Berlin, on the occasion of Dr. Philip Schaff's jubilee, called "the most notable monument of universal historical learning produced by the school of Neander". The single volume allotted by the elder Schaff to the period from Hildebrand to Leo X. has in the hands of his son become two, of which the first, part I., was published in 1907. It is especially fortunate that the portrayal of the three centuries from Boniface VIII. to Luther should have been postponed these seventeen years since the death of Dr. Philip Schaff, for the past two decades have been unusually fruitful in investigations of this very era, which render this volume perhaps the most useful of the series. With careful bibliographies, it is an invaluable summary of recent researches.

Loyal to the tradition of frank piety as well as of ripe scholarship, the son has not merely been faithful to the spirit of his father's work; he has adhered in general to his methods of dividing the material. Whether the inherited style of arrangement is theoretically the best or not, it is here carried out with virtuosity. The result is a clear, straightforward narrative, which seldom betrays the conservatively Protestant theological standpoint of its author. The preface states his desire to be objective: "to depict it as it was and to allow the picture of high religious purpose to reveal itself side by side with the picture of hierarchical assumption and scholastic misinterpretation". Sympathy with some of the religious aspects of the Middle Ages is shown by the unusually comprehensive treatment of themes such as the German Mystics, the Pulpit and Popular Piety, also of those men whom the author stoutly believes worthy of the title, Reformers before the Reformation. Antipathies are, however, occasionally manifest, as when he unhesitatingly speaks of papal "arrogance" and "assumption", and inveighs especially against the infallibility of the pope, using arguments drawn from the deliverances of Innocent III. against Magna Charta, of Innocent VIII. against witchcraft, and from Alexander VI.'s Bull of Demarcation, objections which will not carry overmuch weight with him who ponders the carefully phrased definitions of the Vatican Council. Similarly uncon-

vincing to many will be the ancient Donatist argument from the immoral lives of ecclesiastics to the invalidity of certain of their claims, as when he says (p. 465): "The papal theory of the succession of Peter, even if there were no other hostile historic testimony, would founder on the personality of Alexander VI., who set an example of all depravity." It would have been better to admit the facts, as does Pastor, without drawing conclusions from such tacit premises, just as it would have been well to exercise more reticence concerning harrowing details about witchcraft (§ 59), the revival of paganism (§ 67), and the vices of the clergy (§ 73). Even then the author would have remained true to his purpose of refuting as idealizations the accounts of the later Middle Ages presented by Janssen and Gasquet, who believe that the Church might have been reformed peaceably from within. In general a sympathetic critic of medieval Christianity, Dr. Schaff has been measurably successful in showing that the Reformation was the inevitable consequence of the misdeeds of the militant papacy.

WILLIAM WALKER ROCKWELL.

*Les Comptes du Roi René.* Publiés d'après les Originaux Inédits Conservés aux Archives des Bouches-du-Rhône. Tome Deuxième, Tome Troisième. Par l'Abbé G. ARNAUD D'AGNEL, Correspondant du Ministère de l'Instruction Publique pour les Travaux Historiques. (Paris: Alphonse Picard et Fils. 1909, 1910. Pp. 490; 511.)

THE student of culture history who has the imagination to interpret medieval statistics in terms of human activity will rejoice that these two supplementary volumes of the accounts of King René have appeared. As in the first volume, the summaries are in chronological order and after the calendar form, though occasionally complete documents are inserted. As one reads page after page of these summaries, the whole life of the court and the upper middle classes—less that of the peasantry—and the relation of government to Provençal society is unveiled, as well as the foreign relations of Provence, especially those of a culture nature, with Europe at large. The history of industry and commerce has many details, especially the manufacture of small arms, jewelry, ivory, and leather goods, the trade in drugs, cloth, silks, taffetas, velours, etc., and wine. There are many data, unimportant in detail but collectively of value, bearing upon markets and fairs, weights and measures, days of work for artisans, masons, carpenters, and craftsmen. In this connection the activity of the Jews as bankers, and the relations of Provence to the banking house of the Medici, is noteworthy. Though the connection with Italy is more intimate than with other countries, it is interesting to observe the intimate connection between Provence and Germany in the fifteenth century. One meets with German artisans in many crafts, glovers, metal workers, masons. German minstrels and acrobats were popular in southern France. *Per contra*, there are only three allusions

to England and the English, which shows how far removed from the island kingdom the history of the house of Anjou has become since the days of Henry VI. It is a matter of surprise also to observe how relatively slight were the relations between the counts of Provence and the French crown. Louis XI. is directly mentioned but once, and the royal court but sixteen times. With Paris as a city, however, Provence had close connection, as also with Anjou and northwestern France as a matter of course.

The history of art, especially sculpture, less painting—the king's court painter was a German named Bartholomew Deick—is often mentioned. Gunpowder is alluded to once and stone cannon-balls four times, which shows what every historian of the art of war knows, that the discovery of gunpowder made little change in the history of war until late in the sixteenth century. Very valuable are the complete inventories of property in the king's various capitals, which are printed intact, for they enable us to see the *ensemble* of court life in Provence, at least the material side of it. Considerable technical information as to the method of keeping accounts might be dug out of these inventories and the excerpts dealing with the collection of the revenues.

Occasionally there are allusions to social phenomena of interest or importance. There is much material dealing with the history of charity, with prostitution, with astrology and superstition. Playing cards are mentioned seven times; slaves four times. The practice of nicking or piercing the ears of the half-wild cattle in the marshy country around the embouchures of the Rhone reminds us of the same practice on our western plains, which is sometimes adopted instead of branding. Snails apparently were not a favorite food in Provence in the Middle Ages, for though there is much information about the king's table, snails are mentioned but once.

The philologist will find much of interest upon the history of the derivation and use of words, and may be interested in a Christian Turk "qui scet parler tous languaiges" (no. 2705). There seems to have been a certain affectation of things Turkish in the luxurious court of Provence. Turkish confitures and Turkish fashions were popular and we even meet with a Provençal knight named Saladin. As to institutional history, one finds the use of the word *universitas* in the sense of commune (no. 3194), a usage peculiar to the town charters of Provence and Languedoc. But far and away the most interesting and tantalizing allusion is the one which apparently refers to the art of printing in the time of King René (no. 708-709). It may be recalled that France has recently put forth a rival to Gutenberg. In 1890 the Abbé Requin discovered in the archives of Avignon a contract of the year 1444 between one Procopius Waldfoghel, a native of Prague, and a Jew of Avignon, named Davin, in which the former agreed to teach the latter "the art of writing artificially". The Jew furnished the capital for the enterprise and on March 10, 1446, Waldfoghel contracted to provide "litteras formatas, scisas in ferro". On March 26 we find him providing "omnia

artificia, ingenia et instrumenta ad scribendum artificialiter in litera latina". Other details follow. There are two alphabets in steel letters, two iron forms and one iron vise, forty-eight forms in base metal. (See Abbé Requin, *L'Imprimerie à Avignon en 1444*, Paris, 1890, and his *Les Origines de l'Imprimerie en France*, Paris, 1891.) The "art of writing artificially" is certainly the art of printing. Waiving the vexed question as to whether Waldfoghel was indebted to Gutenberg or his co-laborers, it remains an interesting question what bearing, if any, these new Provençal documents with their tantalizing allusion to "lettres moulées" (no. 708-709) have upon the history of the discovery of printing. Apparently the editor is unacquainted with the work of the Abbé Requin, else he could hardly have failed to have attached a greater importance to these documents than he has done.

JAMES WESTFALL THOMPSON.

*Tableaux de Dépréciation du Papier-Monnaie*. Réédités avec une Introduction par PIERRE CARON. (Paris: Imprimerie Nationale. 1909. Pp. lxxxv, 458.)

THIS is a reprint of the official tables of the depreciation of the paper money issued in France during the Revolution, first printed early in 1798 and again in 1825. Both these early prints are extremely rare.

To this reprint of the tables, M. Caron has written an introduction of great value, and one which all future students of the assignats will have to consult. He has limited himself in the first and most notable part of the introduction to a careful study of the various laws enacted by the Convention and by the Directory determining the discharge in depreciated paper of contracts between individuals. This is a subject which has hitherto scarcely been touched by historians.

The first attempt to correct the situation created by the depreciation of the assignats was brought about by the necessities of the government, following the repeal of the maximum laws. The assignats were then depreciated ninety per cent. The government received them at par, though it was compelled to pay for its supplies in specie. The consequence was, M. Caron tells us, that "as depreciation continued public receipts diminished, while expenditures increased." The law of June 21, 1795, put an end to this situation and saved the government from bankruptcy. The next step was to take up the status of debts between individuals. Debtors were defrauding their creditors every day by forcing them to accept assignats at their face value for debts contracted months or years before in specie, or in assignats at a much higher rate. Laws were now passed to regulate payment of debts so contracted. In 1795 there was such legislation on June 21, July 13, and December 3; in 1796 on April 4, July 17 and 23; in 1797 on February 3, June 23, August 31, September 1, and December 1; in 1798 on January 5, February 1, April 24 and 25, May 10, June 27, and August 14. This virtually closed the series of laws relating to the discharge of private debts,



though a law of May 6, 1799, touched the subject slightly, and the Council of Five Hundred had the matter of a complete revision of the various laws before it when its sessions were terminated by Bonaparte.

M. Caron's study shows clearly the immense difficulty the government was under in enacting any satisfactory legislation to meet the situation. Some of the earlier laws were hastily passed, and in some cases only for a short period in order to meet an emergency, as for example the laws suspending the payments of debts. Laws like these made confusion worse confounded. The law of December 3, 1795, Caron says, "incommoded business" and "paralyzed commerce". Again, when the mandates were created, the legislators thought that they were through with their difficulties. Mandats were as good as specie, they asserted, and therefore it was sufficient to enact that all debts should be paid in mandats or in specie. After their long experience with paper money, they were so simple as to believe that the mandats would not depreciate. Less than a month disabused them of this confidence, and they saw themselves compelled to begin all over again.

The second division of M. Caron's introduction is devoted to the law which decreed the compilation of the tables here reprinted. This law was passed June 23, 1797. M. Caron considers the provisions of the law, the manner in which the tables were drawn up, and the results as to their accuracy. The central authorities of each department, assisted by fifteen business men, drew up the tables. They were made out to cover the dates from January 1, 1791, to July 17, 1796. The authorities of the departments were to determine the depreciation of the paper money for each month in that period by using a table of such depreciation made up by the Treasury at Paris, comparing this with any such table as the department might have kept, and with the prices of real estate, food, and merchandise at each of the several dates. The task was extremely difficult. In some cases the statistics on which the calculation was to be made could not be secured; again, in regard to certain dates, the department of the Aube, and presumably other departments as well, fixed a figure for the depreciation arbitrarily. The resulting tables naturally show an enormous variation in the value of assignats in the various departments at the same date. Indeed the tables do not pretend to show more than an approximation to the actual depreciation, a fact which must be remembered by students who undertake to make use of them.

RALPH C. H. CATTERALL.

*Napoléon et la Catalogne, 1808-1814. La Captivité de Barcelone (Février 1808-Janvier 1810).* Par PIERRE CONARD, Ancien Élève de l'École Normale Supérieure, Docteur ès Lettres. [Bibliothèque de la Fondation Thiers, Fascicule XVIII.] (Paris: Félix Alcan. 1909. Pp. xlv, 474.)

*Napoléon et la Pologne, 1806-1807.* D'après les Documents des Archives Nationales et des Archives du Ministère des Affaires Étrangères. Par MARCEL HANDELSMAN de Varsovie. Approuvée par M. le professeur MEYER v. KNONAU. (Paris: Félix Alcan. 1909. Pp. iv, 280.)

M. CONARD's original design was "d'étudier le rôle des Français dans la transformation de l'Espagne et de mesurer, pour ainsi dire, l'importance de l'influence française dans la péninsule au temps du roi Joseph"; this design was reduced by a closer acquaintance with the material to that of furnishing "une petite contribution à l'étude du régime française en Espagne". The reasons for finally selecting Catalonia are stated to have been the fact that the material for the Napoleonic history of this region is practically all to be found in the archives at Paris, that during this period "la Catalogne a eu sa vie propre, presque particulière", and that Napoleon aimed to annex it. It is evident at a glance that the study of the rôle of the French in the transformation of Spain might well assume terrifying proportions in M. Conard's mind, since the present stout volume comprises only two years of the occupation in one corner of the kingdom.

Nevertheless the student of the Napoleonic empire can have no quarrel with M. Conard but may rather hope that his admirable spirit and conscientious methods may inspire other laborers in such neglected corners. For he has furnished us with a study that is in its kind a model and almost beyond reproach; one would despair of gleaning after M. Conard and he constantly brings home to us the way and degree in which exhaustive work in a limited field can throw light upon general conditions. The critical studies of the primary sources in the preface and appendixes are of very unusual merit, and the former especially, with its acute analyses of classes of documents and its suggestions as to comparative values, will be of service to all students of the Napoleonic archival material. The rather surprising statement that the material for this study is almost entirely in the French archives is shown to be based upon an exhaustive search in Catalonia itself—a search establishing the conviction that "les relations entre le gouvernement censé Joséphiste de Catalogne et le gouvernement central furent presque nulles" and that though the municipal changes can be studied to advantage in a few places the French on their departure destroyed or removed practically all documents of general interest.

The author's critical acumen and good judgment are not confined to the studies above cited but appear throughout in such a way as to inspire entire confidence in his use of his material. Good examples are the remark (p. 33, note) with reference to the genesis of the invasion of Spain: "Rien n'est plus difficile que de déterminer de quand date un projet napoléonien; car l'Empereur n'admettait les personnes de son entourage à la connaissance de ses desseins qu'à partir du moment où il avait besoin de leur concours et dans la mesure seulement où cela

lui était nécessaire", and in the doubts he raises (p. 65, note) as to the value of the reports sent to the emperor when the conditions were not of a kind to please him or support his plans. M. Conard does not go out of his way to recapitulate or discuss events beyond his own field, but he keeps the general situation well in view and constantly casts light upon it. The conditions special to Catalonia are clearly set forth, but we nevertheless feel that we are adding much to our knowledge of the nature of the national rising, of the defects of the French methods, of the faults in the French military organization and discipline, of the decline in the quality of the troops (in Catalonia they were largely German and Italian, and we see how that general deterioration through the increase of foreign levies is now setting strongly in), of the confusion and lack of co-operation between civil and military authorities, of the absence of general control in Spain and the practical neglect of the imperial orders, of the nature of the military oppression and the ruin caused by the occupation. It is shown that though Napoleon was far from being in such close touch with the situation as he supposed he yet cannot escape the chief responsibility in view of the fact that he had proceeded deliberately on the principle of terrorizing the Spaniards. It was in vain that later the imperial administration sought to make scapegoats of the provincial commanders; "Le vrai responsable de la ruine de Barcelone, de la désertion d'Ampurdan, de la misère et de l'exaspération des Catalans était Napoleon" (p. 384).

The author's plan is indicated by the chapter-headings: *La Catalogne en 1808*; *Les Catalans et l'Intrusion Française*; *Les Nécessités Militaires et le Gouvernement Improvisé*; *Le Roi Joseph et le Gouvernement Improvisé*; *Les Finances du Gouvernement Improvisé*; *Les Mesures de Sûreté et la Police du Gouvernement Improvisé*; *Les Résultats et les Responsabilités du Régime*. There is appended a map of Catalonia and a good index.

The dissertation of M. Handelsman takes us to the remotest north-eastern corner of the empire and the author approaches his task much more from the European point of view than in the case of M. Conard's study. The result is creditable both to M. Handelsman and to Professor Meyer von Knonau and though not without blemish may legitimately arouse high expectations as to future work. The young author has already indeed a formidable list of titles to his credit and wields the pen of an experienced and effective writer, endowed with greater gifts of presentation perhaps than is M. Conard. He aims here "de tracer un tableau politique de la Pologne qui doit servir de fond à l'action de Napoléon, figurer l'objet de ses rapports et de sa politique et faire ressortir les causes et le cours d'une révolution nationale". On the whole this aim is well attained and in all parts of the study dealing directly with Polish conditions we find serious contributions to our knowledge; the importance of the contribution in the wider field indicated by the title (and especially aimed at by the writer) is less manifest. But the Napoleonic policy is at all times clearly and convincingly set forth, and little

doubt can remain both as to the entire absence during this period of any intention of restoring Poland, and of the cold duplicity with which the emperor manipulated the Polish aspirations and movements as pawns in the diplomatic game with Prussia and Russia.

As hinted above M. Handelsman's work is not without blemish. His claim to be presenting "le premier essai . . . d'une définition scientifique des rapports de Napoléon et de la Pologne" exposes him to special attention on the score of technique, and it is disappointing to find that here his treatise is much more open to criticism than is the more modest one of M. Conard. Instead of a full critical description of the primary material used we have only a brief enumerating note in the preface and a list of uncommented titles as appendix. Pages 177-257 are occupied by selections from the *inédit* (presumably), and while we have reason to be grateful for this important addition to the accessible material, we regret to find the documents printed without annotation of any kind, without any indication of the completeness with which they are inserted, and without any references to the portions of the text that they illustrate. We are frequently in doubt as to *provenance* and are for the most part left entirely without that personal data that is so thoroughly supplied by M. Conard. This defect is of course particularly serious with regard to material of so inaccessible a sort as that in the Polish language (M. Handelsman prints only French translations). The use of the sources throughout the study seems for the most part thorough and worthy of confidence; but there are some lapses, as when (p. 6) the author depends for an important statement put into the mouth of Napoleon on a memoir (Comeau) apparently known to him only through a recent secondary writer (Lorraine Petre), or when (p. 13) he modifies a quotation from a letter of the emperor by italicizing without warning to the reader.

These are not serious blots on the work of a young writer. The treatment as a whole shows thorough mastery of the material and unusual powers of presentation, and is free from any appearance of overladen or indiscriminate research. Having traced the development in the autumn of 1806 of the attitude of Napoleon to the Poles, M. Handelsman presents a very instructive review of Polish internal conditions under the Prussian government and during the early French occupations as preliminary to a following of the part played by the Polish question in the development of the peace of Tilsit. In regard to the general situation and the interview between the sovereigns at Tilsit the ordinary secondary authorities are used. As to the question of Poland M. Handelsman does not entirely accept the contention of Schilder that the creation of the Grand Duchy of Warsaw is to be attributed to Alexander rather than to Napoleon, but advances instead, with sufficient evidence to render it plausible, the hypothesis that Napoleon offered Poland to Alexander under the condition that Silesia should be assigned to Jerome, that Alexander's relations to Prussia made it impossible for



him to agree to this, and that finally the czar accepted freely a proposition advanced by Napoleon as intended especially to establish a barrier state between the French and Russian empires. "Le Duché devait être en somme l'œuvre d'un compromis, le résultat des divergences d'intérêts dynastiques et d'actualités diplomatiques, mais la paternité de cette création devait revenir à Napoléon et à personne d'autre" (p. 132).

The study concludes with a careful examination of the organization of the Grand Duchy under "une forme politique absolument nouvelle"; the force of this description is not manifest, as on the author's own showing it was simply an imitation of the Napoleonic combination of autocratic monarchy and parliamentary forms. It is perhaps to be regretted that M. Handelsman did not undertake his study more from the same point of view as M. Conard, as in that case he would probably have developed more thoroughly the Polish material (the work was done almost wholly in the French archives and the Polish material cited has the appearance of being fragmentary), and have been led to the later administrative history of the Grand Duchy of Warsaw. This difference of point of view in these cases is as instructive as the difference of method, and these treatises might perhaps well serve as an object lesson for those entrusted with the direction of youthful research in the field of history.

VICTOR COFFIN.

*Napoléon et le Roi Murat, 1808-1815.* Par ALBERT ESPITALIER.  
(Paris: Perrin et Cie. 1910. Pp. vi, 519.)

THIS book is an exposition of personality rather than of events. Four causes have produced, during the past fifteen years, a considerable literature upon Murat, his wife, his kingdom, and his execution. As a matter of family pride, his descendants are publishing his correspondence, which the fourth volume brings down to 1806; and they have sought to clear his reputation in *Murat, Lieutenant de l'Empereur en Espagne* (reviewed in this journal, III. 363). The interest in the family of Napoleon has brought Murat and his wife within the scope of the investigations of Napoleonic scholars like Masson and Baron Lumbroso, and of more popular writers like Turquan. The psychological and tragic interest in his abandonment of Napoleon, his relations with Austria, and his execution at Pizzo in 1815 has added works by Sassenay, Schirmer, Weil, and Lumbroso to the older ones on the same subject. Finally, the interest in the history of the Risorgimento has attracted Italian writers, and has produced the only important work in English since the translation of Colletta's well-known history of Naples, namely, Professor R. M. Johnston's *Napoleonic Empire in Southern Italy and the Rise of the Secret Societies* (2 vols., 1904). There also have been published memoirs or biographies of several of the soldiers and officials associated with Murat in Naples. Not a few articles have appeared in historical periodicals, and during the past year M. Vandal has been contributing "Le Roi et la Reine de Naples" to the *Revue des Deux Mondes*.

The present volume is apparently the first venture of the author. It is well written and has abundant citations of authorities, though too often the precise reference to page or date is lacking. Acknowledgments are made to earlier writers, especially to Weil; but more notable is the use of many documents from the archives in Paris, Naples, Vienna, and London, and the collections of the Società Napolitana di Storia Patria.

As the title indicates, M. Espitalier studies Murat from the angle of his relations with Napoleon. He regards Murat, as he thinks Napoleon did, and as historians have been too wont to do, as merely a successful soldier destitute of political sense; and as a Frenchman, he sees in Murat's interest in Italian unity only the desperate resort of a disappointed ambition, a treason to Napoleon, or rather to France in the hour of need. Napoleonic in sentiments and point of view, he sees no possibility of a definite, let alone an honorable, policy on the part of Murat. For him, the ultimate sin blackens the whole life.

The ethics of every-day life fail to explain Murat. He was an adventurer in an age of glorified adventurers. Bonaparte's remarkable rise to imperial power turned the heads, not only of his brothers and sisters, but also of his comrades in arms. They aspired to independent position, overlooking their vast indebtedness to their great brother and general; but Bernadotte alone realized his ingrate ambition. Napoleon, in the words of Berthier, bade Joseph, Louis, Jerome, and Joachim: "Pour vos sujets soyez roi, pour l'Empereur soyez un vice-roi." Napoleon's cosmopolitanism never sensed the spirit of nationality, but Louis and Joseph and Murat each caught something of the spirit of the peoples they were set to rule, even as Bernadotte did in Sweden. Murat had, as brilliant cavalry officer and as brother-in-law, a double claim upon Napoleon. He and his ambitious and intriguing wife, Caroline, had cause to feel badly rewarded with Naples when they saw the inconsequential Joseph supplant him in Spain. Napoleon never considered the interests of the subkingdoms apart from his own; Murat gave priority to the welfare of Naples—obviously base disloyalty to the emperor. Later, when he saw the power of his brother-in-law crumble, Murat shrewdly grasped the opportunity to gratify his thwarted ambitions by identifying himself with the spirit of Italian nationality. Had he merely sought Italian unity under his sway, without turning upon his benefactor and without intriguing with the foes of his native land, Murat might be understood and pardoned. Contempt or, at best, pity is, however, the lot of this interesting but puzzling comrade and brother-in-law of the arch-adventurer, Napoleon Bonaparte.

GEORGE M. DUTCHER.

*Il Risorgimento Italiano.* Conferenze del Prof. COSTANZO RINAUDO. (Turin: Olivero e C. 1909. Pp. 830.)

THIS may be described as a topical rather than as a narrative history of the Risorgimento. It consists of forty-four lectures delivered by

Professor Rinaudo before the young officers of the Italian War College. Naturally, the requirements of lecturing determined the length and form of the separate chapters. If there are undeniable drawbacks, there are some compensations in the inclusion of several topics which would have been treated very briefly in a narrative history. At times, we have instead of a narrative of action a series of essays—two on Mazzini, for instance, another on Gioberti's political theory, others on the women of the Risorgimento before 1848, and on the political poets. Nor should we omit to mention that the philosophy of the Risorgimento—its aims and factors and the Italian national traditions—are discussed in a section of five introductory lectures. Besides Mazzini and Gioberti, Pius IX., Victor Emanuel, and Cavour are allotted each a chapter for a character-study.

To attempt to analyze such a work in a paragraph would be futile; but it may serve prospective readers to say that they will find Professor Rinaudo a safe guide on nearly all points. He has no marked talent at portraiture, so that we do not bring away from his pages the features of Cavour or Mazzini drawn in master-strokes, but rather a composite of each which everybody can recognize. So too in his discussion of the burning questions over which historians have been debating for half-a-century, we are more likely to get in Rinaudo the resultant of conflicting opinions than a vigorous, convincing verdict of his own. When we remember that these lectures were prepared for the students of the War College, we shall understand why so sober, unpolemical, and conciliatory a historian was chosen for the task. We should not expect that the American Secretary of the Navy would commission a strong partizan of either Sampson or Schley to lecture before the cadets at Annapolis on the battle of Santiago.

It is this moderation which gives Professor Rinaudo's work much of its value; and we can commend it to general readers as being the best account in Italian of the Risorgimento. But the historical student who seeks to know causes will often be disappointed. He would never suspect, for instance, from the professor's two pages (685-686) the proportions or significance of the drama which was enacted between Garibaldi's entry into Naples and his departure for Caprera in the autumn of 1860. Everything is smoothed down; what could not be smoothed down is omitted. And yet even the proficient in the Risorgimento will be grateful to Professor Rinaudo for assembling many stray matters of interest. Especially for the earlier period, which has been less worked, he may be recommended.

His book lacks an index—a lack which should be made a criminal offense in every civilized country. The bibliography of 1000 titles—a large number of which refer to magazine articles—is more than enough for the ordinary reader but too meagre for the specialist. The fact that it includes no English or German titles casts an unpleasant doubt on the range of the author's scholarship.

*L'Anima di Francesco Crispi: Carteggio intimo sulla Politica del Risorgimento Italiano.* Con Proemio e Note Biografiche di G. PIPITONE-FEDERICO. (Palermo: Ant. Trimarchi. 1910. Pp. lx, 192.)

THE eighty and more, liberally annotated letters which form the contents of this volume are the first important contribution of Crispi's correspondence to be made to the published sources for Italian Risorgimento history. We may look for a goodly number of such volumes in the not distant future; it is a matter of comment that little Crispian literature has been put out since the illustrious Sicilian's death, but in explanation it might be observed that the personal enmities which his vigorous policies and inflexible conduct inspired have not yet sunk into the grave. Eventually we may expect a monumental edition of his collected writings like the editions of Mazzini and Cavour, for without exhaustive research among Crispian sources a complete study of nineteenth-century Italian history will be impossible.

The present letters of Crispi were almost all addressed to Baron Vincenzo Favara of Partanna in the province of Trapani, between 1861 and 1867. Favara, an old republican conspirator, a man of wealth, was a close friend and client of Crispi, and it was to him largely that Crispi owed his first election as Italian deputy from Castelvetro in 1861. The letters are intimate, relate largely to political affairs, and were not intended for the public eye (p. 72). They reveal Crispi's character in what will be to most historians certainly a new light, and they must be regarded as a most valuable source for social and parliamentary conditions during the period of reconstruction, particularly in Sicily.

With the year 1860, which witnessed the expedition of the Thousand and the campaigns of the Marche and the Two Sicilies, the distinctly revolutionary period of the making of Italy had ended. For more than a decade before in Piedmont not only had the government itself followed a revolutionary policy with regard to the rest of Italy, but within its own dominions it had encouraged revolutionary organizations such as the National Society and the Committee of the Fund for the Million Rifles, until it might be said that the revolution personified in Mazzini and Garibaldi had acquired such force and authority as to constitute a state within the state. But when the first Italian parliament was convened in 1861 conditions had changed. Victor Emanuel had annexed all the dominions of the petty despots of Italy; to win the remaining Italian territory, already prepared by the revolution, his final struggle was to be exclusively with foreign powers—with Austria which held the Veneto, and diplomatically with France which was propping up the pope's temporal throne in Rome. The annexation of these provinces must wait; the occasion for it would be offered by the unrest of other powers of Europe, and in the meantime for Italy the dominant issue was reconstruction of the new kingdom and national education. But the revo-



lutionary spirit so thoroughly aroused could not readily recognize the new conditions. That Mazzini and Garibaldi failed to understand them Aspromonte and Mentana bear witness; in fact from 1861 on these illustrious patriots figure as steadfast and stubborn jacobins who had outlived their mission. Crispi on the other hand, though he had been second to none as a jacobin in the past and was still to be found in the militant revolutionary ranks, showed a degree of patience, moderation, and political good judgment that astonished his more impetuous followers and marked in him the statesman. For this period the historian has had little opportunity of examining closely his conduct, but in these letters to Favara many of its outlines appear.

In 1864 Crispi was already recognized as president of the party of the Left and in 1865 he was elected vice-president of the Chamber of Deputies. From the outset in parliament he labored actively in the opposition. As the ministries succeeded one another each seemed to him "more fatal for Italy than its predecessors" (p. 16). "The ministers of the king are ruining the dynasty and preparing for Italy new catastrophes" (p. 70). "But", he declared, "in spite of the errors committed, the prevailing pusillanimity and recriminations, Italy shall be" (p. 47). And it was this indomitable Mazzinian faith in the future of Italy as a great nation to which in no small degree Crispi owed the success of his public career. What Italians needed more than anything else in the periods of reconstruction and national development was a confidence in the destinies of Italy which should enable them to look beyond the party wrongs and the discouragements of the hour and work for the future of the nation. "Ministers go", cried Crispi, "and with them disappear the evils which they have caused. The nation remains, and we should work that it may establish itself and become powerful" (p. 25). Patience and moderation, these are the virtues which he recommends to his own followers of the radical opposition, at the same time that he inveighs against the government in the Chamber. In Sicily there was particular discontent, and agitators clamored, some for secession and some for a republic. Crispi condemned ironically the one and effectively decried the other. "Sicily may commit enormities, but regain autonomy, never" (p. 60). His Mazzinian unitarianism remained always unshaken, but while it excluded from his mind all ideas of secession, it led him logically to forsake the republicanism which he had learned from the same master. His conduct is explained in his famous phrase, "The republic divides us, the monarchy unites us", and having made his decision, monarchist he would remain, "frankly, loyally", he declared to Favara, "so long as the king should be for Italy" (p. 18). Union and concord, these are words which recur repeatedly throughout the letters. "Do not imperil with inaction and discord what we have won at the price of blood" (p. 46). "We must raise the cry of concord, and force both parties to extend hands and embrace. This might be a help to unity, while on the contrary, if the check on passions is left free, we may witness the beginning of a great catastrophe" (p. 56).

Crispi, leader of the radical opposition, was a conservative force in the state, and Italy's debt to him at this period particularly in Sicily is clear, both in the restraint of the insurrectionary tendency and in the promotion of sound parliamentary government.

Crispi's confidence in his own leadership and his independence appear throughout the correspondence. In 1861 he writes, "It is remarkable that my countrymen have realized so late that I am worth something" (p. 6). He does not hesitate to criticize Garibaldi, his old leader, who after 1860 was surrounded by a ring of inferior politicians of the revolution and had lost his good judgment: "It would have been better if Garibaldi had never had the title of deputy. Had he remained a captain he would not have moved from Caprera, and would have been greater and invincible. God has given him neither the mind of Cromwell nor the ambition of Napoleon: captain of the people, his arena is not parliament but the public square and the battle-field" (p. 36).

The volume abounds in open personal criticism and in frank exposition of the writer's views. Until the historian has many more such publications revealing the inner character and purposes of the Italian leaders and people, attempts to write history and biography of the Risorgimento bearing the stamp of finality even in their principal features must be futile.

Pipitone-Federico's preface gives a fair appreciation of the letters, and his notes furnish biographical sketches of the Sicilians mentioned in the letters. But his judgment is highly prejudiced, and he writes without historical method.

H. NELSON GAY.

#### BOOKS OF AMERICAN HISTORY

*Bastiaen Jansz. Krol, Krankenbezoeker, Kommies en Kommandeur van Nieuw-Nederland, 1595-1645; Nieuwe Gegevens voor de Vestiging van ons Kerkelijk en Koloniaal Gezag in Noord-Amerika.* Door Dr. A. EEKHOF. (The Hague: Martinus Nijhoff. 1910. Pp. vi, 60, xxxviii.)

THIS biographical account of the first comforter of the sick in New Netherland is the fruit of extensive researches made by Dr. Eekhof at Amsterdam to supplement the historical data which he collected last year in this country, under the auspices of the trustees of the University of Leyden, for a general study of the relations between the Reformed Church in America and the parent church in the Netherlands. The facts, in so far as they are not derived from the *Van Rensselaer Bowier Manuscripts*, the journal of de Vries, and other well-known sources, are based largely on the records of the Consistory of Amsterdam and are of the utmost importance for a correct view of the establishment of ecclesiastical authority in New Netherland. These records of the Consistory have hitherto not been explored by American writers, owing to the erroneous belief that the Classis of Amsterdam had from the begin-

ning the sole supervision of ecclesiastical affairs in the colonial possessions of the Dutch East and West India Companies. Dr. Eekhof shows that before 1636 the Classis shared this supervision with the Consistory of Amsterdam, who, by order of the Classis, appointed and sent out comforters of the sick and even ordained and sent out ministers, though the latter were examined by the Classis. Hence the necessity of consulting the records of the Consistory, in which Dr. Eekhof discovered the interesting facts that Bastiaen Jansz. Krol visited New Netherland as comforter of the sick in 1624; that Jonas Michaëlius, the first minister of the colony, appeared before the Consistory on March 4, 1632, to give an account of the discharge of his official duties; and that Everardus Bogardus, the second minister, was ordained by the Consistory on July 15, 1632. This date of Krol's first voyage is of particular importance, since it precedes by two years the time when Krol and Jan Huygen were heretofore supposed to have come over and to have first ministered to the spiritual needs of the people on Manhattan Island. In addition to these facts, Dr. Eekhof has gleaned from the city archives and from the notarial archives at Amsterdam a number of personal details about Krol, which are of almost equal interest. Among these may be mentioned the circumstances that the man, who later occupied the post of Director-General of New Netherland, was originally a *caffawerker*, or silk cloth worker by trade, and that in 1615, when he married Annetjen Stoffels-dochter, he could not sign his name. The author has supplied his book with abundant notes and in an appendix has given a digest of the "Copie-boek" of the Consistory, 1589-1635, as well as careful transcripts of all the passages in the records that bear upon his subject. Among the latter is a complete copy of the interrogatory of Krol, June 30, 1634, found in the protocol of notary Justus van de Ven, of which a translation, made from an imperfect copy printed in *Oud Holland*, 1890, appears on pages 203-204 of the *Van Rensselaer Bowier Manuscripts*. Finally, the book contains photographic reproductions of the most important extracts from the records and a facsimile of a rare map of New Netherland, forming part of a large colored map entitled "Paskaert van Guinea, Brasilien en West Indien", printed by Willem Jansz. Blauw, perhaps before 1621, which was recently sold by Frederik Muller to the Geographical Institute at Utrecht.

A. J. F. v. L.

*Narratives of Early Maryland, 1633-1684.* Edited by CLAYTON COLMAN HALL, LL.B., A.M., of the Maryland Historical Society. [Original Narratives of Early American History, edited by J. Franklin Jameson.] (New York: Charles Scribner's Sons. 1910. Pp. ix, 460.)

THE purpose of the *Original Narratives of Early American History* has been abundantly fulfilled in this latest volume of the series, inasmuch as it provides "a comprehensive and well-rounded collection of those narratives which hold an important place as sources" of Maryland history.

A succinct description of the papers will show their nature and value. In regard to the planting of the colony, we have the Account, or prospectus prepared in England in anticipation of the departure of the first colonists; the Instruction of Lord Baltimore for the conduct of the adventurers on shipboard and after their arrival in the new land; Father White's Briefe Relation of the Voyage unto Maryland; and the *Relation* of 1635, to which are appended the Conditions of Plantation, and the charter granted to Cecilius Calvert.

The reason for selecting the Briefe Relation, instead of the *Relatio Itineris*, is given (p. 28); perhaps a translation of the Latin account, such as was edited by Dr. Dalrymple for the Maryland Historical Society, would have been more acceptable, as it gives fuller details of the incidents of the voyage and the founding of St. Mary's, and manifests more clearly the charming simplicity and piety of the "Apostle of Maryland".

The introduction to the *Relation* of 1635 condenses much information concerning the charter into a concise and erudite statement. It may be said of all Mr. Hall's explanatory introductions that they are exact and luminous in regard to the author of the paper, the circumstances of its origin, and the bibliography relating to it. The comments which are added are necessary, or useful, to elucidate the subject-matter.

Several of the documents in this volume refer to the controversy between Lord Baltimore and William Claiborne; others present the conflicting testimony concerning the battle of the Severn; whilst others deal with the boundary disputes between Pennsylvania and Maryland.

The editor refrains from pronouncing judgment on controverted points, contenting himself with "a brief statement of the grounds of dispute" (p. 50), and declaring that "it has been sought to point out in foot-notes where the zeal of controversy has gone to the extent of coloring facts or of so presenting them as to cause misapprehension." These foot-notes are brief, but apposite and sufficient.

In accordance with this plan, the narrators speak for their own side of the question. The juxtaposition of *Babylon's Fall* and *The Refutation of Babylon's Fall* throws into vivid contrast the perfervid utterances of a religious zealot and the trenchant logic of a legal mind. A lucid declaration of the boundary dispute is prefixed to the Conferences between Lord Baltimore and William Penn, and their Agents; the documents limn forth the salient traits of character of the participants; and the dialogue between Penn and Colonel Talbot surpasses any mere description in portraying the bland diplomatic astuteness of the proprietary of Pennsylvania and the single-minded loyalty to his patron and that patron's cause on the part of the impetuous Irishman.

The Journals of Augustine Herrman and George Fox, besides their intrinsic interest, will be valuable to the historian, the geographer, and the genealogist. The carefully prepared index will be helpful for research and reference.



*New Relation of Gaspesia, with the Customs and Religion of the Gaspesian Indians.* By Father CHRESTIEN LE CLERCQ. Translated and edited, with a reprint of the original, by WILLIAM F. GANONG, Ph.D., Professor in Smith College. [The Publications of the Champlain Society.] (Toronto: The Champlain Society. 1910. Pp. xv, 452.)

IN this well-printed volume Professor Ganong furnishes a reprint *verbatim et literatim* of the 1691 edition of the *Nouvelle Relation de la Gaspésie* of Father le Clercq and a good English translation retaining as much as possible the flavor of the original without loss of clearness and intelligibility. The introduction (pp. 1-41) gives all that is known of the author and the genesis of his historical labors. At pages 42-46 is a "Bibliographical Description", from which we learn that the issue of 1758 "is a publisher's 'trick', and the title is a curiosity", this on the authority of Mr. V. H. Paltsits, who contributes this section of the book. The abundant and scholarly foot-notes contain much real and useful information (geographical, ethnological, linguistic, and historical), satisfactory interpretations being here offered for the first time for not a few of the Micmac terms scattered throughout Father le Clercq's pages—the task would have been easier, did we possess his *Dictionary of the Gaspesian Language*, which the good priest said he left at the Monastery of Notre Dame des Anges, in Quebec, but which seems to have gone quite astray. The absence of a bibliography of Father le Clercq and his work is due to "sundry practical reasons", leading to the distribution of such material throughout the foot-notes, the citation of authors and works in the index making up largely for this treatment.

An "almost microscopic study" of the work of Father le Clercq has enabled Professor Ganong to correct some minor errors in the data concerning him in the publications of Harrisse, Shea, etc., as well as to determine more accurately some of his movements, although a gap for the years 1684-1686 is still to be accounted for. His use of material from Father le Jeune's *Relation* of 1634 is pointed out; also the probable influence of Father le Caron, Denys, etc. Professor Ganong's estimate of the place and value of Father le Clercq's work is on the whole just, as is likewise his opinion of the author's trustworthiness on all matters of prime importance treated in the *Nouvelle Relation de la Gaspésie*.

Among the illustrations of special interest are a copy of the long-lost map (1685) of Father Jumeau, friend and colleague of Father le Clercq, photographed from the original in the Bibliothèque Nationale in Paris, a map which goes with the book "as perfectly as if he himself had drawn it for the express purpose"; and the reproductions of four pen-drawings (one representing Indians learning to read the "Micmac hieroglyphics"), dating from the end of the seventeenth century, found inserted in a beautiful copy of the rare issue of 1692 of the *Nouvelle Relation* now in the possession of Mr. F. L. Gay. These drawing may be by Father le Clercq himself, or, possibly by Father Jumeau, in which latter case, the priest

in the first picture is perhaps Father le Clercq himself, as Professor Ganong suggests.

The famous "Micmac hieroglyphs" are discussed on pages 21-32, and the modern characters now in use are shown to be identical with those of the Abbé Maillard (middle of the eighteenth century). Professor Ganong gives good reasons for believing that Abbé Maillard adapted and improved upon the system of Father le Clercq, which he found still in use, and was not, as has been generally supposed, the inventor of these curious "hieroglyphics". The characters on the tablet in the picture just referred to seem to settle this point.

The question of the "worship of the cross", attributed by Father le Clercq to the Indians of Miramichi, is also discussed by Professor Ganong, who reaches the entirely reasonable conclusion (p. 40) that we have here "a sub-tribal totem sign, originally the conventionalized figure of some animal, later modified, whether consciously or deliberately, under the influence of Christian teachings". Professor Ganong is quite right in rejecting (p. 180) the etymologies so far offered for "Miramichi", though it may be a mistake to regard the word as non-Indian altogether. The suggestion, made in a foot-note to page 123, that the making of maple sugar, though of Indian origin, is not prehistoric but began about 1675, is worth considering. Altogether, Professor Ganong may be said to have done his work as editor well and to have added something new to the literature of the matters dealt with.

ALEXANDER F. CHAMBERLAIN.

*A Documentary History of American Industrial Society.* Edited by JOHN R. COMMONS, ULRICH B. PHILLIPS, EUGENE A. GILMORE, HELEN L. SUMNER, and JOHN B. ANDREWS. Prepared under the auspices of the American Bureau of Industrial Research, with the co-operation of the Carnegie Institution of Washington. With preface by RICHARD T. ELY and introduction by JOHN B. CLARK. Volumes V. and VI. *Labor Movement, 1820-1840.* (Cleveland, Ohio: The Arthur H. Clark Company. 1910. Pp. 392; 353.)

THESE two volumes of the *Documentary History of American Industrial Society* cover a highly interesting period in the history of the American labor movement. All the works on American labor history, as well as the general historical works dealing with the period, give brief accounts of a labor movement from 1827 to 1837, but our knowledge of this movement has hitherto been of the scantiest kind. The present work makes available important sources of information which have been hitherto almost entirely unexploited. The sources thus drawn upon are chiefly the newspapers published during the period in the interest of the organized laborers—e. g., *The Man*, the *National Laborer*, and the *National Trades' Union*. These newspapers were edited by the labor leaders of the time and contain a fund of news concerning the move-

ment. Naturally, there are many gaps in material of this character but the editors by diligent and wide search have been able to piece together a comprehensive and highly satisfactory account.

The new material thus assembled throws much light on the aims of the movement. Our information on this point has heretofore been confined practically to bare lists of the demands formulated by the workingmen's conventions. By the aid of the documents here presented it is possible to weigh the relative importance of these demands in the minds of the workingmen of the period. It becomes clear, for instance, that the demand for education at public cost was more persistently pressed and probably exerted a greater influence on the establishment of free schools than has been supposed. Also, the complicated political workingmen's movements in New York in 1829-1831, which have heretofore baffled explanation, become intelligible.

More important still is the revelation of the character of the organization which stood behind the movement of 1833-1837. The proceedings of the Philadelphia, New York, and other trades unions show a degree and extent of organization hitherto unsuspected. The excerpts from *The Man* and the *National Trades' Union* here printed contain the constitution and the greater part of the minutes of the New York General Trades Union from 1833 to 1836. This body, composed at the height of its strength of delegates from a large number of trade societies, levied taxes upon its constituent societies; authorized strikes of individual societies for the redress of various grievances, and supported these strikes from its treasury. Similar but less detailed information is given concerning the Philadelphia and other trades unions. The proceedings of the National Trades Union, composed of local trades unions, which existed from 1834 to 1837, and which has hitherto been little more than a name in the history of the American labor movement, have been rescued from buried newspaper files and reprinted in great fullness.

To the student of the evolution of trade unionism, the present volumes are of the highest interest since the period from 1827 to 1837 is shown to be characterized by the dominance of a form of trades-union organization—the central labor union or as it was then known the trades union, or union of trade societies in a city—which has since occupied a subordinate place in the organization of labor. The editors make out a strong case for their contention that the trades-union form of organization was developed at least as early in the United States as in England. In any event it is clear that at no time in England has the trades-union movement been centred so largely about the central labor union as it was in the United States from 1833 to 1837.

The documents are arranged into groups according as they relate to various organizations, *e. g.*, Mechanics Union of Trade Association and the Philadelphia Political Movement, the National Trades Union, etc., and to each group is prefixed a brief but adequate introduction. In addition, there is a general introduction to the two volumes in which the causes of the movement are discussed. The volumes unquestionably

make a permanently important contribution to the history of the labor movement in the United States.

GEORGE E. BARNETT.

*The Diary of James K. Polk during his Presidency, 1845 to 1849.*

Now first printed from the original manuscript in the collections of the Chicago Historical Society. Edited and annotated by MILO MILTON QUAIFFE, Assistant Professor in the Lewis Institute of Technology, with an introduction by ANDREW CUNNINGHAM McLAUGHLIN, Head of the Department of History of the University of Chicago. In four volumes. (Chicago: A. C. McClurg and Company. 1910. Pp. xxxii, 498; 494; 508; 462.)

THE voluminous diary of President Polk owed its origin, we are told, to "a very important conversation" between Polk and his Secretary of State, Buchanan, at a Cabinet meeting August 26, 1845, on the Oregon question. Polk insisted upon the line 54° 40', while Buchanan was equally strenuous for the line 49°. Buchanan was overruled, but the despatch which he was obliged to write to Pakenham was magnanimously characterized by Polk as "admirable". So important did Polk regard the incident that he forthwith wrote out an account of it for future reference, and thereafter, until June 2, 1849, two weeks before his death, kept a daily record of his public life. It is in every way an extraordinary record and an historical document of the utmost importance. That Polk could find time or strength, in the momentous years of his presidency, to set down such full and detailed accounts of his varied occupations, testifies to rare persistence and strength of will.

Only an extended review could possibly take account of all the notable matters to which the diary refers, or enumerate the controversies on which it sheds light. Of no other administration, save that of John Quincy Adams, have we so full a record from the President's standpoint. Here is unfolded, for example, the history of a cabinet during nearly four eventful years; and Cabinet proceedings, even in these days of newspaper publicity, are a little known part of American history. Polk was the undoubted ruler of his Cabinet; and though he consulted his advisers on all occasions, he enunciated his own views with distinctness, insisted upon obedience, and had his own way in the end. Towards the end of his term, he tells us (September 23, 1848), he had so far familiarized himself with departmental details as to need advice only on "a great measure or a new question"; and he never called for opinions in writing, believing that harmony was best insured when members talked face to face. He was impatient of delay or inefficiency in departmental business, and more than once called his Cabinet sharply to account; the War Department particularly was in bad condition, and the State Department a source of annoying political leakage and covert opposition. He did not have an entirely harmonious political family of course, and had at times to suffer something strongly suggestive of disrespect; but



he seems to have kept his temper and with dignified insistence made his will prevail.

The bane of his life, however, was not a hard-bitted cabinet, nor yet such great national questions as Oregon, Mexico, or the Wilmot proviso, but the unending horde of office-seekers. Not a week passes without a scathing denunciation of the crowd of "patriots" who haunted the White House, hung about the door of his office, forced themselves into his presence on any and every occasion, and besought him for offices just vacated, or to be vacated, or already satisfactorily filled, or yet to be created. No official could fall seriously ill without precipitating applications for his place in case he should die. The list of beggars comprised every grade of ability and character, from Benton and Charles J. Ingersoll to rakes, adventurers, party hacks, and political schemers. Among the most persistent visitors were women, for whose political activity Polk had special aversion. Until after the Barnburners' Convention in New York, in 1848, when some of the Van Buren Democrats began to work openly against him, he struggled to treat all factions in the Democratic party alike, incurring the enmity of Buchanan by his course; but for the whole business of patronage he shows increasingly angry dislike, and his diary fairly exhausts the vocabulary of expletive and denunciation.

The origin of Polk's war message of May 11, 1846, has been told by Mr. Schouler, who used the Bancroft transcript of the diary, in his essay on "President Polk's Administration". The question of moral responsibility involved is, perhaps, one of opinion and emphasis, but it may at least be doubted whether Polk's daily record, taken as a whole, does not give his case a somewhat more favorable aspect than is given it in Mr. Schouler's essay. So far as members of the Cabinet and some of his political intimates were concerned, Polk had made no secret of his purpose to acquire from Mexico, by purchase, a considerable territory. The war message, rapidly as it was written, seems to have been some days in mind. On April 25, in laying before the Cabinet the matter of our relations with Mexico, Polk was for "a bold and firm course"; while Buchanan recommended a declaration of war, and the other members, without dissenting, agreed that a message ought to be prepared in the course of the next week. Thereupon Polk "stated the points which should be presented in the message" and asked Buchanan to prepare the draft from materials in his department. Three days later the question was again taken up, with the same conclusion and the same request to Buchanan. On Sunday, May 3, Polk sent for Benton, told him that "we had ample cause of war", and that while he would delay until the arrival of Slidell, who was daily expected, a message would be sent in before the close of the session. Benton was averse to war if it could honorably be avoided, but was promised a sight of the message before it was transmitted. On the 5th and 6th the Cabinet again discussed the Mexican situation, and the 7th was mainly occupied by Polk "in examining the present state of our relations with Mexico, with a view to make

a communication on the subject to Congress". On Friday, the 8th, Slidell arrived, had an hour's conference with Polk, and urged that the United States should now take the redress of grievances into its own hands. At the Cabinet meeting the next day, when the subject was "very fully discussed", all agreed that any hostile act by the Mexicans at Matamoros ought at once to be followed by a war message. Polk, however, went further, recommending "definitive measures", reiterating his opinion that the United States had ample justification for war, and giving it as his opinion that a message should be ready by Tuesday. To the latter point the Cabinet, when questioned, agreed, except Bancroft, who wished to withhold the message until some act of hostility had been committed. The relevant correspondence in the War and State Departments was directed to be copied for submission with the message. Then, in the evening, came the news of the collision on the Rio Grande, and the preparation of the message over Sunday proceeded as described by Mr. Schouler.

In the light of this procession of events, however, it seems hardly correct to say, as Mr. Schouler does, that on May 9 Polk "took up a war policy", when the question had been before the Cabinet almost daily for two weeks, and when Polk himself had already spent nearly a whole day in preparation for a message already practically decided upon. The criticism of Polk for not taking time to look over the transcribed correspondence, although he had read the originals, seems also somewhat overstrained; must a President personally verify the work of a departmental copyist?

Among the many "mean expedients . . . for heading off public opinion in the unhappy republic whose patriotism thwarted us", Mr. Schouler, in the same essay, refers to the employment of Roman Catholic priests to accompany the army, "not as chaplains", but "because they spoke the Mexican language" and might "undeceive" the adversary. What Polk did, according to the diary, was to solicit the aid of Bishop (afterwards Archbishop) Hughes of New York in securing some priests from the United States who knew Spanish to accompany the army "as chaplains and others", for the purpose of assuring the Mexican clergy that their religion and church property were not to be interfered with by the American invasion. Later (October 14, 1846), in an interview with the Rev. William L. McCalla, an applicant for a chaplaincy in the army, Polk stated that Mexico being a Catholic country and the priests having great influence over their ignorant people, "they would probably deceive them by representing that the United States was waging war against them to overturn their religion"; with the result that a desperate and sanguinary resistance would be offered. It was to "undeceive" them on this point that Spanish-speaking priests were used; not, indeed, as chaplains, because Polk found that there was no law authorizing such appointments, but as army employees.

Enough has been said to indicate how many are the points which may well be re-examined in the light of this invaluable record. Pro-

fessor Quaipe prints the diary in full, but with modernized punctuation and uniform date-headings for the daily entries. Occasional omissions in the text are supplied in brackets, and a few incomplete or obscure expressions are similarly elucidated. The notes are confined to personalia and brief historical summaries. The editor also supplies a short biographical sketch of Polk, and Professor A. C. McLaughlin contributes an introduction. It is greatly to be regretted that the index, so supremely important in a work of this character, contains but incomplete reference to the names which crowd the text.

WILLIAM MACDONALD.

*A Congressional History of Railways in the United States.* By LEWIS H. HANEY, Ph.D., Associate Professor and Acting Head of the Department of Economics in the University of Texas. Volume II. *The Railway and Congress, 1850-1887.* (Madison, Wis.: Democrat Printing Company. 1910. Pp. 335.)

THE relation which the several departments of the federal government hold to the railways of our country is the result of a gradual evolution extending over a period of practically eighty years. The impelling force of this evolution has been the public mind working through the activities of Congress.

In a previous volume the author has traced the development of this relation to the end of the first half of the last century. In the volume under review this work is carried forward to the enactment of the Interstate Commerce Act in 1887.

As stated by the author the book is "a history of action and reaction between railways and the government" and aims to present "an accurate and intelligible account of Congress' various railway experiences".

The subject is treated under the two general heads, Aid and Regulation. Under the first are discussed the various forms of aid, such as land grants, the reduction of duties on railway supplies, extension of credit on duties, the guarantee of bond interest, and subsidies requested of or granted by Congress for the construction of railways in undeveloped sections of the country. Under the second head the author develops first the earlier manifestations of railway regulation and restriction based, for the most part, on the powers delegated to Congress by the Constitution to provide for the public defense, to levy taxes, and to provide post-roads; and second, the development of regulation based directly on the power conferred on Congress by the "commerce clause" of the Constitution.

It is impossible in a short review to do more than express a few generalizations. The author has collected a large amount of important information from the volumes of the *Congressional Globe* and *Record*, which is practically inaccessible to the average reader, and has presented this information in such a manner as to give an intelligible account of the relation of Congress to the growth of our present-day

railway systems. Among the most important points which have been treated are: the development of the plans and the determination of the location of the Pacific railways; the extension of governmental regulation to the railways in the efforts to provide for the public defense and the transportation of the mails; the breaking up of state monopolies of transportation formed to protect local markets; the effect of the Granger movement on the furtherance of rate regulation; and the gradual growth of the idea of the public character of railways and their inclusion under the provisions of the "commerce clause" through the enactment of the Interstate Commerce Act in 1887.

It is likely that one of the most important services rendered by this work will be to dissipate the fallacy that the Interstate Commerce Act of 1887, based primarily on the "commerce clause", was a radical departure from previous ideas of regulation. The discussions over the transcontinental railway problems; the passage, in 1865, of a bill to facilitate communication among the states; the many and heated debates in Congress respecting the propriety of including railways under the "commerce clause", thereby providing regulation of interstate transportation; the control of bridges across navigable streams; the provisions for the safety of passengers; the regulation of the live-stock traffic; and finally the Granger agitation, were all factors which, extending over more than a quarter of a century, paved the way for and led to the more general and comprehensive regulation contained in the Interstate Commerce Act. This gradual evolution of the spirit of regulation, culminating in the act, has been recognized by the author and appropriately treated.

The volume is a painstaking and thorough piece of investigation. It is perhaps open to the criticism that it places too great emphasis on minor details and is too decided in respect to certain economic conclusions. To the student of modern transportation problems, especially that phase of the problem that has to do with the rapidly developing tendency toward administrative supervision, this work of Dr. Haney is of the highest importance. It gives an insight into the many problems which hold so prominent a place in our social, political, and economic life, and will be of material aid in dealing with these problems.

HENRY C. ADAMS.

*The American Civil War: a Concise History of its Causes, Progress, and Results.* By JOHN FORMBY. (New York: Charles Scribner's Sons. 1910. Pp. xvii, 520.)

THE object of this book is to give a short and connected account of the Civil War and of the events which led up to it, "the lack of which seems to have acted as a deterrent to the study of a most useful and interesting episode of history". "The American Civil War", he says, "seems at first such a tangle of disconnected details, spread over so vast an extent of country, that the reader soon gets bewildered and is



apt to study one part to the neglect of another." The plan is to give a short synopsis from which details are eliminated.

In the introduction the author gives a very short summary of the whole course of the war. In the first three chapters he narrates the events that led up to Secession, beginning at the year 1790. He recognizes that the two great interests of the nation were those of the traders and manufacturers on the one side, and of the planters on the other, and that slavery came into the quarrel merely as the supposed backbone of the planter party. In the next chapter he gives a short account of Secession; then in nine chapters a synopsis of all the operations, even those of minor importance, for he says, "almost all of them had a direct effect on the main phase of the War in the district for the time being." At the end of each chapter is a chronological table of two or three pages, showing at a glance the principal events of each month in the East, Southeast, West, Southwest, and naval regions respectively. Then in a short chapter, he explains the End of the Mexican Complication. For he says that sufficient attention has not been given "to the distracting effect of the operations of Napoleon III. in Mexico". In the last three chapters he deals with Reconstruction, Some Actors in the War, and Results and Lessons of the War. Foot-notes throughout the narrative call attention to synchronous events in the different theatres of operation.

The author's view with regard to the general progress of the war appears to be that generally approved by those who have carefully studied it. It is unfortunate that he was not sufficiently familiar with the history of the war to avoid several errors in describing the operations. These errors do not materially injure the book as a synopsis, but his military criticisms and statements of detail must be taken with caution.

The book is accompanied by sixty-five maps bound in a separate volume. The first shows the general features of the seat of war, rivers, mountain ranges, railroads, etc. The next four on a smaller scale show the limit of Union control at the end of each year from 1861 to 1864 inclusive. The next two—the Blockade, and the High Seas—show the scenes of the most important naval events of the war. The other maps are mere outlines which appear to show the location of all points mentioned in the text, unincumbered with unnecessary details.

Such a complete synopsis as this book with its maps affords, will be of great use. It will enable the casual reader of parts of the Civil War history to understand the relation of what he reads to the other events of the war, and help the professional student to co-ordinate and compare the operations conducted in different fields at the same time, and in the same field from the beginning to the end of the war.

*The Campaign of Chancellorsville: a Strategic and Tactical Study.*

By JOHN BIGELOW, Jr., Major U. S. Army, retired. (New Haven: Yale University Press. Pp. xvi, 528.)

In a monumental work of more than five hundred pages Major John Bigelow has shown that too much cannot be said on a great theme and that it is never too late to undertake it. Many good books have dealt with Chancellorsville and told the sad story of a great, brave, and undismayed army which was foiled and disastrously beaten by a force of half its size and driven back to its camps. So much has been written that it almost seemed that the subject was exhausted, and that it had passed into the realm of ancient history. If such was ever likely to occur, the story has been happily resurrected by Major Bigelow, who has also brought out much new matter and woven the tangled threads again into heroic form. The professional student, whose judgment is often warped by enthusiasm for details of strategy and tactics, may possibly be wide of the mark when he predicts the fate of any book of historical or technical character, but he may safely recommend the *Campaign of Chancellorsville* as containing enough of tragedy and comedy to satisfy those who seek for lighter reading.

The author follows correct models of historical and professional narratives, at times approaching brilliancy in his method of grouping facts and conclusions. Criticism is modest throughout, never extravagant in praise, or over-mild in censure, but rather leaving the judgment of events to the reader himself. Very satisfactory is the method of giving "the mental point of view and field of vision of the opposing commanders" in order that the reader may keep informed "as to how much or how little each commander knew about the tactical and strategic situation". Instead of viewing the campaign from the vantage-point of time and years of study, we are given numerous citations and references to the statements of the actors themselves.

In this generation we cease to feel an interest in *what* our fathers fought about in the Civil War, but we are quite keen to know *how* they fought. We need no better example than this. The recital loses nothing of interest because we see, overshadowing it all, the majestic forms of Lee and Jackson. It fires us with Anglo-Saxon pride of race and strengthens the hope that the country may continue to breed such men for the battles yet to come.

History and biography and criticism in military matters usually delight to contemplate the roar of artillery and leaden hail of infantry bullets, with attendant carnage of blood and suffering. But there is much more to a campaign, as Major Bigelow well demonstrates, that is of just as absorbing interest. This is particularly noticeable in the attention given to cavalry operations. Cavalry leadership was perhaps no better or worse than the leadership of other arms, but cavalry action was generally overshadowed by the dramatic collision of forces ten times more numerous. We here find all kinds of examples of cavalry

action, strategical and tactical, good and bad. Referring only to the good, we find few better than Fitz-Hugh Lee's reconnaissance to Hartwood Church, W. E. Jones's operations with 2000 cavalry against the Baltimore and Ohio Railroad, guarded by 34,000 men present for duty, Harrison with thirty men at Fleming's Cross Roads, McVickar at Alsop's Farm. Perhaps the author is rather hard on Lieutenant-Colonel John S. Mosby in his discussion of that officer's military status. Mosby had enthusiastic approval of such high-toned soldiers as Lee and Stuart, not to speak of U. S. Grant and his opponent in Loudoun County, General Charles Russell Lowell, who wrote to his wife, "Mosby is an honorable foe and should be treated as such." The cavalry actions at Miskell's Farm, Thompson's Corner, Aldie, Dranesville, Herndon Station, as described in this book, had no characteristic of guerrilla action and might serve to-day to teach a lesson to cavalry.

The greatest fault in military historical works written in this country is the worthless maps. The author has helped us greatly by his forty-seven maps, sketches, and plans in colors, showing the positions of troops at successive stages of operations described. It is suggested that, as the woods exert such an influence on every phase of the conflict, an additional color to show wooded areas would have greatly improved the general value of the work. EBEN SWIFT.

*Reconstruction in Texas.* By CHARLES WILLIAM RAMSDELL, Ph.D. [Columbia University Studies in History, Economics, and Public Law, vol. XXXVI., no. 1.] (New York: Longmans, Green, and Company. 1910. Pp. 324.)

THE last few years have brought forth numerous studies in the Reconstruction period of our history. Among these, hardly is there a better than that of Professor Ramsdell's *Reconstruction in Texas*. Dr. Ramsdell has had unusual advantages in the matter of access to original sources. He had at his service the Executive Correspondence of the state, which included a large number of letters from governors in their official capacity; its Reconstruction Correspondence, which embodied a great many letters from army officers and from the Freedmen's Bureau; its Executive Records, which contained proclamations and letters from other departments of the government, including the letter-book of the secretary of state; the Johnson Papers in the Library of Congress; and the Roberts Papers. Besides these sources he availed himself of the files of practically all the newspapers published contemporaneously in the state. He also had access to certain books and periodicals, public documents and pamphlets, not usually available.

Dr. Ramsdell leads up to his work with true insight by dealing with conditions in the state prior to the outbreak of the war, and emphasizes the unique position held by Texas throughout the bitter struggle; certain distinct problems were presented in her reconstruction, which were not common in other of the Confederate States. He shows that on ac-

count of the fact that the negro population was not so large as in some of the other states and was concentrated in the eastern part, the influence of the Freedmen's Bureau was much diminished; and further, that the situation was complicated because of hostile Indians, lack of railway transportation, etc.

Special attention has been given to the relations of the state officials and military commanders, and the writer has shown Sheridan's shortcomings in unmincing words. From 1867 he has given his attention largely to political matters, making particularly clear the struggle between the Radicals or Republicans, and the split into the Jack Hamilton and Davis factions. He has carefully shown the reasons for the final overthrow of the Davis government, after the readmission of the state.

There is a palpable lack of economical and social discussion in the book, which, Dr. Ramsdell himself explains, came about through failure to find such material. It might be said in extenuation that such information is extremely difficult to discover. Again, the economic history of the period is less complicated than in most of the other Southern States on account of the fact that there were no confiscated plantations, fewer negroes, fewer carpet-baggers, and the Radicals themselves were mostly Texans.

Professor Ramsdell has indicated pointedly the great service rendered by Throckmorton, and we are glad this patriotic Texan is thus honored. He has dealt in a searching and judicious way with his characters, being extremely temperate in his expressions. The style of his writing is agreeable. Here and there, it is barely possible that condensations might have been made to advantage. On the whole the work is a valuable addition to our studies in general of Reconstruction.

W. F. McCaleb.

*A History of California Labor Legislation.* With an Introductory Sketch of the San Francisco Labor Movement. By LUCILE EAVES, Associate Professor of Practical Sociology at the University of Nebraska. (Berkeley: University Press. 1910. Pp. xiv, 461.)

THIS elaborate monograph is a sane and scholarly discussion of the many-sided problem whose right solution more and more urgently challenges the earnest effort of the American people. It is a model piece of scientific work. It displays an insight and a breadth of treatment which attest the unique equipment of Dr. Eaves for the performance of her difficult task. To it she brings not merely the skill of the expert in history and economics, but also the sympathy and the intimacy of knowledge which could come only from her eight years of social service and leadership in San Francisco. Hence the labor legislation in California is treated as a part of the whole movement of organized labor in the United States. True, the conditions of labor in California in some respects have always been unique, and hence its history is singularly dra-



matic. Nevertheless, that history may be thoroughly understood only in the light of the whole national history. No doubt the author's hope will be realized that "this study might prove a modest contribution towards a better understanding of some of those subtler problems of social and economic development that must occupy the future students of American history."

This is not a legislative history in the narrow sense. It is no barren synopsis of laws. Dr. Eaves has "regarded legal enactments as but the final expression of the demands of the wage-workers of the state at different periods in its economic development". Therefore she has traced the "circumstances giving rise to these demands, and also the social forces making possible the passage of the proposed measures", and reviewed the "court decisions by which the labor laws have been interpreted and fitted into the existing legal system". Indeed, one is impressed by the mass of original and other materials described in the formal bibliography and conscientiously used in the text, as the very numerous foot-notes bear witness. The Index of Cases, for instance, shows that more than 250 court decisions have been analyzed; while practically the whole output of the California press from the "gold" days onward has been explored.

In the narrow space assigned to this notice detailed analysis is impossible. The text consists of twenty chapters covering every important phase of the subject. The first chapter (pp. 1-81) on the San Francisco Labor Movement, in view of the leadership of the metropolis, is of special interest. Three luminous chapters are devoted to the exclusion and regulation of the Chinese. It is shown conclusively that the California policy is the result of social experience; that it is sustained by public sentiment. Its motives are only in part economic. "The legislation excluding the Chinese is the product of many years of determined effort on the part of the working men of California backed by the full force of the American labor movement." Of scarcely less general interest is the careful chapter on Judicial Restraint of the Actions of Trade-Unions. Never has the tragic story of the throttling of social liberty by judicial legalism been more graphically told.

GEORGE ELLIOTT HOWARD.

*History of Washington: the Rise and Progress of an American State.* By CLINTON A. SNOWDEN. In four volumes. (New York: The Century History Company. 1909. Pp. xxi, 497; xv, 509; xv, 519; xv, 467.)

THIS is a large work but unfortunately it deserves but little attention at the hands of serious historians. It bears every evidence, but one, of having been conceived and executed for the purpose of reaping a harvest by the hackneyed subscription method at twenty-five dollars a set. The one missing piece of evidence is the collection of paid-for biographies and there are rumors of a forthcoming volume or two of those.

The books are six and one-half by nine and three-quarters inches. There are generous margins, the print being four by six and five-eighths inches. The type is large and clear, the paper, a heavy "egg-shell", gilt top but edges otherwise uncut. In the four volumes there are 2047 pages. The binding is a rich marbled board with three-quarters red leather stamped in gold, including the seal of the state on each volume. There are one hundred and twenty-one illustrations on paper in imitation of parchment. Many of these are rare and in years to come this collection of pictures will give the volumes their greatest value.

On the title-page appear the names of four estimable citizens of the state—Cornelius H. Hanford, United States district judge; Miles C. Moore, former governor; William D. Tyler, former legislator; Stephen J. Chadwick, justice of the State Supreme Court. These are called "Advisory Editors". The author in his preface says they all manifested "a helpful interest in the work" and that Judge Hanford was of particular service with his advice and encouragement. Without questioning in the least the sincerity of these good men in permitting the use of their names in this instance, it is perfectly well known to all familiar with history enterprises in the newer western states that boards of editors are more serviceable to the solicitors of subscriptions than to the author of the work.

The dedication reads: "To my mother and the memory of my father. They were pioneers." It is clear that Mr. Snowden approached his task with complete sincerity and there is abundant evidence that he gave to it the best efforts within his limitations. There are many reasons why the present writer would like to lavish praise and nothing else upon these volumes, but this review is written within and for the guild of historians and here the invariable rule is a strict and honest frankness.

The fault of this *History of Washington* is that Mr. Snowden, the author, is in no sense a trained historian. One of the first great essentials, that of a proper perspective, is woefully neglected. Here are four large volumes devoted to "The Rise and Progress of an American State" and yet of the more than two thousand pages but a meagre span of eight pages are devoted to the period of statehood. Washington Territory had an existence covering thirty-six years, from 1853 to 1889. Up to the date of publishing this history there had passed twenty-one years of statehood. In politics, industries, literature, art, road-building, general development, in all that makes history worth while, those twenty-one years of statehood were by far richer and fuller than the three dozen years of territorial times. But the records of the more recent years are much more difficult to write. The multitudes of materials require a vast labor in their collection, assortment, selection, condensation, and writing. If it be said that those years are too recent for the historian, then these four volumes should not carry across each pair of pages "The Rise and Progress of an American State". It would be more honest to call the work a history of Washington Territory.

Another evidence of the author's lack of training is his misuse of bibliography. In the four volumes there are one hundred and ninety-six foot-notes. Scarcely one of them, where reference to a source is to be indicated, complies with the rudiments of the science of history. At the end of volume I. is given an affidavit by Charles Bulfinch on the discovery and first occupation of Columbia River. No indication is given as to the source of the document. There are the same omissions from the two appendixes of volume II. and the four in volume III. On page 470 of volume II. is a foot-note saying: "The references in this and the two following chapters, where the date only is given at the bottom of the page, are to a series of articles written by the old settlers, and published in the Tacoma Sunday *Ledger*, in the years 1892 and 1893." That note must be carried in the reader's mind to make intelligible a long series of simple dates at the bottom of following pages. Frequently long quotations are made with no indication of the source. One example is in volume II., on page 314 and occasionally on the following pages, "Mrs. Pringle—who was Catherine Sager—says". She is giving important testimony on the Whitman massacre but when, where, or how she said those things does not appear. In a similar way Mackenzie "says" a page in quotations on pages 230-231 of volume I. and Fraser does the same thing on page 233 of the same volume. The volumes are full of such lapses. In volume II., page 427, a foot-note endeavors to explain the few months' difference that would mean Jackson or Simmons as the first American settler in the territory and yet the explaining note makes the year 1845 read 1854.

In explaining how Whitman could not have given information to President Tyler and Secretary Webster, volume II., pages 149-150, the author overlooks the well-known letter by Whitman to Secretary of War Porter which begins: "In compliance with the request you did me the honor to make last winter while at Washington". Likewise on page 101 of the same volume the author overlooks the testimony of Daniel Lee, who, with J. H. Frost, published *Ten Years in Oregon* in 1845. A careful comparison of these four volumes with the sources would probably yield a harvest gratifying to a faultfinder. The present reviewer has no desire to play that rôle. Enough has been said to show that Mr. Snowden has industriously and sincerely gathered a vast amount of the records prior to and during the territorial existence of Washington and that the same has been beautifully published in four elaborate volumes to be paid for at a high price by subscribers.

EDMOND S. MEANY.

*Wool-Growing and the Tariff: a Study in the Economic History of the United States.* By CHESTER WHITNEY WRIGHT, Ph.D. [Harvard Economic Studies, vol. V.] (Boston and New York: Houghton Mifflin Company. 1910. Pp. xiii, 362.)

THE thesis of this important contribution to American economic literature is that the tariff on imports, whether of wool or of manufac-

tures of wool, has had an insignificant effect in encouraging, that is to say, causing an increase of, wool-growing as an industry in the United States. Whether the author has or has not proved the point, no one, whatever may be his opinion, will withhold from him the most unre-served admiration of the thoroughness of his study and the fullness of the facts and statistics essential to the argument and the conclusion. The monograph is therefore a model for works of this kind, inasmuch as, although the author makes his own deduction from the facts presented, he has presented all the facts in the case, and thus enables others to draw opposite conclusions—if they can. Nothing is suppressed.

It follows from that statement that we have here a complete and final history of wool-growing in the United States—its origin, its growth, its transfer, sometimes gradual and sometimes rapid, from one region to another and the apparent causes of such transfer, the range of prices of wool during the whole period of the history of the industry, the comparative remuneration of the wool-growers, the relation of imports of wool to the importation of manufactures of wool—these, and all kindred facts, compiled with the most painstaking care and industry, and set forth in logical and lucid sequence. It is that which makes the work useful, indispensable, not only to all who would study the great economic question here discussed, but to every man also who is interested in a large way either in sheep husbandry or in the manufacture of wool.

Shall we not say that this is its only usefulness? May it not be predicted with absolute confidence that as a thesis it will have little or no effect upon public opinion or upon legislation? The reasons for holding that opinion may be stated in a few words. The wool-grower might admit that the tariff has had no tendency whatsoever to increase the quantity of American wool produced—Mr. Wright does not go quite so far as that—and yet he would maintain, and Mr. Wright concedes, that the tariff has benefited him somewhat in the matter of price, which is what concerns him. The manufacturer, who feels unable to compete with the foreigner without protection by import duties, might agree that neither in quantity nor in price is the wool-grower benefited by the tariff, yet he cannot claim protection for himself and deny it to the wool-grower, if the wool-grower deems it necessary. Protectionists generally are agreed that no class of manufactures more needs the help of the tariff—they may differ as to the amount of help needed—than those which make use of wool; and they favor a duty on wool merely as a matter of consistency, if for no other reason. Free traders are already convinced, and Mr. Wright's treatise simply confirms fixed opinions.

Nevertheless, we have already reached a point in American industrial development where the tariff is becoming less and less important and protection less and less necessary. One after another of our industries will cease to need the help of a tariff, as some have already ceased. Such studies as that of Mr. Wright will draw attention to the changing conditions and prepare the public mind for a change of policy that may



be impending within a few years. They will do so if they are as copious in facts and as temperate in statement as this.

*Journal of Larocque from the Assiniboine to the Yellowstone, 1805.*

Edited with notes by L. J. BURPEE, F.R.G.S. [Publications of the Canadian Archives, no. 3.] (Ottawa: Government Printing Bureau. 1910. Pp. 82.)

*Journal of the Yukon, 1847-1848.* By ALEXANDER HUNTER MURRAY. Edited with notes by L. J. BURPEE, F.R.G.S. [Publications of the Canadian Archives, no. 4.] (Ottawa: Government Printing Bureau. 1910. Pp. 125.)

IN preparing these journals for their present form, Mr. Burpee has written an introduction and copious scholarly notes for each one.

The original of the Larocque journal seems to be lost. A copy of the original came to Laval University through a recent bequest and from this the present publication is made. There are two reasons why the *Journal* is important to American researchers. Larocque's journey to the Rocky Mountains was contemporaneous with that of the Lewis and Clark Expedition. And Larocque was one of the first, if not the first, white man to visit and describe the Crow Indians.

Of the quality, Mr. Burpee says: "Larocque's journal is in fact more readable than many more ambitious narratives of the fur trade. It contains here and there vivid touches that carry the reader back into the heart of that vanished period in western history."

Needed additional words are bracketed and there are other evidences that the journal has been faithfully transcribed.

The *Journal of the Yukon*, though nearly half a century later than the other, covers a country quite as little known at the time as were the Rockies at the time of Larocque's visit. Burpee's introduction corrects a number of apparent blunders by Murray as to historic facts. Probably the greatest value of the journal is the fact that it describes that distant land and its Indians just as the Hudson Bay Company was building there its most remote outpost.

Murray acknowledges that he was building Fort Yukon on Russian land. He gave no explanation of that action nor can any be found except in the "rough-and-tumble methods" that prevailed in the fur-trade of that time. Russia apparently did not realize this was an invasion of her territory. If she did so realize, her quiet acquiescence seems peculiarly strange in the light of the American Cabinet secret of 1845 revealed by Secretary of the Treasury Robert J. Walker. This was that Russia offered all of Russian America to the United States if the cry of "Fifty-four Forty or Fight" was made good and thus Great Britain would be shut off from an approach to the Pacific from the American side.

Murray was well acquainted with the ways of the fur-trade and of Indians. He had spent twenty years in the Mackenzie basin and had

risen to the rank of a chief factor. His observations of the Yukon Indians were made in the light of that extended experience. He recorded a considerable vocabulary and there are a number of clever pen-drawings. He gave to Sir John Richardson information recorded on a map of 1851 which is reproduced in this publication.

The copy of Murray's journal was obtained for the Dominion Archives from E. O. S. Schoefield, legislative librarian, Victoria, British Columbia.

EDMOND S. MEANY.

*Antonio Lopez de Santa Anna. Las Guerras de México con Tejas y los Estados Unidos. [Documentos Inéditos ó muy Raros para la Historia de México, edited by GENARO GARCÍA. Tomo XXIX.] (Mexico: Bouret. 1910. Pp. 344.)*

WE again have to thank Señor D. Genaro García for a volume bearing upon Mexican history that is of direct interest to American investigators. The documents here presented are not indeed new, but it is extremely hard to obtain them and therefore this reproduction is very welcome. The first (62 pp.) is Santa Anna's Manifesto of May 10, 1837, giving an account of his operations in Texas the previous year. One notes in particular here (pp. 27-29) his defense of the butchery at Goliad on the grounds that it was required by the law, that there was no place in which to secure the prisoners, that it was not practicable to send them to Matamoros, that the Mexicans had not enough food for them, and that they might have overpowered their captors. For several of these excuses precedents could be found in the customs of the American Indians, but, as for the first one, the Mexican Minister of Foreign Relations assured the British representative that the atrocities perpetrated in Texas were contrary to orders sent to Santa Anna "early in the Campaign" (Pakenham, no. 74, October 24, 1836). Next we remark his excuses (p. 46) for taking a nap in the face of the enemy at San Jacinto: (1) his great exertions; (2) his loss of sleep the previous night; and (3) his weak and sickly constitution ("un físico débil y enfermizo"). It throws light upon the question—if there be a question—of his credibility to reflect that he lived to an advanced age in spite of great labors, anxieties, and dissipations, and the editor aids us by citing the testimony of his friend and aide-de-camp, Giménez (p. 46), that the general was very robust. More significant still is his pretense (p. 57) that his agreements with the Texans, made after his capture, were entirely personal ("no con el carácter oficial de presidente de la República . . . ni menos como General en Jefe"), when in fact his public covenant began with the words, "Artículos de un convenio celebrado entre S. E. el General en Jefe . . . D. Antonio López de Santa Anna", and his secret covenant with these, "Antonio López de Santa Anna, General en Jefe del Ejército de Operaciones y Presidente de la República Mexicana". Next come 113 pages of documents sub-

mitted with the Manifesto, many of which are of permanent value. Then follows (pp. 185-197) Santa Anna's defense of his proceedings in the war against the United States, dated March 24, 1848. This must of course be read and analyzed by the historian of that war, but it is too superficial and partizan to be of much assistance. Finally, pages 201-335 give us D. Ramón Gamboa's Impugnacion, dated July 15, 1849, which presents and answers Santa Anna's replies to Gamboa's formal charge of August 27, 1847, that he had betrayed the country in the wars with Texas and the United States. This document is of no little importance to American historians. Gamboa's theory was wrong, his attitude prejudiced, and his information defective; but he offers precious material which with due caution can be employed by one in possession of the inside facts. His main contention was that Santa Anna, by an understanding with the United States, conducted his operations in such a way as to play into the hands of the American generals, whereas the truth appears to be that, in accordance with the arrangement concluded with Commander Mackenzie, he returned to Mexico intending to make peace on terms acceptable to Polk, but on finding that he could not bring his nation to that point, saw that his only chance to save himself was to take the lead in the fighting, and—being no strategist either by nature or by training—was outmanoeuvred as well as out-fought. In Gamboa's summing up (pp. 332-334) one is surprised to see no mention of the abandonment of Tampico, a prominent popular subject of complaint against the general. The volume concludes with a brief but useful index. The printer who set up Jackson's letter (pp. 176-178) had not fully mastered the intricacies of English orthography.

JUSTIN H. SMITH.

#### MINOR NOTICES

*Annual Report of the American Historical Association for the Year 1908.* Volume I. (Washington, Government Printing Office, 1909 [1910], pp. 539.) This volume opens with the usual reports of the preceding meeting (Washington-Richmond, December, 1908) of the Association and of the Pacific Coast Branch, followed by reports of five conferences which occurred on the former occasion. These reports, ampler than those given in this journal (XIV. 429-452), are accompanied by the text of several of the brief papers read in the conferences, such as Professor Bassett's on the influence of coast line and rivers on North Carolina, Miss Davenport's on the manuscript materials for English diplomatic history, Professor Larson's on Old Norse sources in English history, Miss Flisch's on the common people of the old South, and Mr. Leland's on the application of photography to archive and historical work. Two papers read before the Pacific Coast Branch are next printed, that of Mr. Don E. Smith on the Viceroy of New Spain in the Eighteenth Century, and that of Mr. Frederick J. Teggart entitled

"Notes Supplementary to any Edition of Lewis and Clark", and relating to the Company of Explorers of the Missouri and the efforts of Evans, Mackay, and Truteau. Then follow the suggestive papers read at Washington by Mr. Joseph A. Hill on the Historical Value of the Census Records and by Mr. William Nelson on the American Newspapers of the Eighteenth Century as Sources of History, and those read in Richmond, on the Wilderness Campaign, by the late General E. P. Alexander, Colonel William R. Livermore, and Major Eben Swift. The volume concludes with the ninth annual report of the Public Archives Commission, 260 pages of thoroughly well prepared matter, comprising full reports on the archives of Maine, by Professor Allen Johnson, of Missouri, by Professor Jonas Viles, and of the state of Washington, by Professor J. N. Bowman, and a valuable list of the journals and acts of the councils and assemblies of the thirteen colonies and the Floridas, preserved in the Public Record Office. The index is much better than that of most preceding volumes of the Reports.

*Questioned Documents: a Study of Questioned Documents*, with an outline of methods by which the facts may be discovered and shown. By Albert S. Osborn, Examiner of Questioned Documents. With an Introduction by Professor John H. Wigmore. (Rochester, N. Y., The Lawyer's Co-operative Publishing Company, 1910, pp. xxiv, 501.) This book, by one of the most widely known American experts in the detection of fraudulent documents (his part in the Conger-Allds investigation is still in fresh remembrance), is of course meant primarily for the use of lawyers, not of historians. But the processes of fraud have been much the same in all ages, and modern methods of detection may be employed to good purpose upon the documents of the past; nor are they less valuable in determining or in demonstrating the authorship of anonymous manuscripts of every sort. Mr. Osborn discusses the uses of photography and of the microscope as well as of the trained eye and suggests many an ingenious appliance besides. Not only handwriting, but ink too and paper, yes and even questioned typewriting, come in for careful treatment. Especially useful are the many photographic facsimiles of suspected documents and of the processes used in establishing their falsehood or their genuineness. Many a historical investigator will be glad to know that such a guide is in existence.

*The Evolution of Property from Savagery to Civilization*. By Paul Lafargue. (Chicago, Charles H. Kerr and Company, 1910, pp. 160.) This compact little book, in the guise of a study of the evolution of property, is an earnest and forceful indictment of the bourgeois capitalist régime by an apostle of communism. The text comprises five short chapters entitled respectively: Forms of Contemporaneous Property; Primitive Communism; Family or Consanguine Collectivism; Feudal



Property; and Bourgeois Property. As often in similar doctrinaire discussions, throughout this essay there is a tendency to take as basic facts generalizations which mature scholarship does not always support. Thus, a primitive matriarchate or period in which woman had political as well as domestic supremacy is assumed, although the theory of Bachofen is now far from being generally accepted as axiomatic truth. On the other hand, many facts which we have entirely forgotten or which we are inclined to ignore are set in a clear light. The undoubted evils due to capitalistic supremacy are shrewdly disclosed. Here is a book which should prove beneficial to the ardent disciple of Blackstone. To say the least, it ought to help break down the blind reverence for the juridical legalism, which, in its excessive zeal for the protection of the prescriptive property rights of the individual, is seriously hindering the proper socialization of our laws and our courts.

The author concludes that "the final communist and international revolution of property is inevitable." For "already, in the midst of bourgeois civilization, do the institutions and communistic customs of primitive times revive."

GEORGE ELLIOTT HOWARD.

*Dictionnaire d'Histoire et de Géographie Ecclésiastiques.* Publié sous la direction de Mgr. Alfred Baudrillart, Recteur de l'Institut Catholique de Paris, M. Albert Vogt, Docteur ès Lettres, et M. Urbain Rouziès. Fascicule I., Aachs-Achot. (Paris, Letouzey et Ané, 1909, pp. 319.) This *Dictionnaire* is uniform in size and arrangement with the *Dictionnaires de la Bible, de Théologie Catholique, d'Archéologie Chrétienne et de Liturgie* already in course of publication by the same firm. Besides the subject of ecclesiastical geography the editors include in the scope of their work ecclesiastical institutions and the lives and activities of the foremost ecclesiastical worthies. If it is possible to form a judgment from the first fascicule the undertaking will derive its permanent value from the geographical rather than the biographical studies. Much has been recently published in encyclopedias about the great figures of Christian history, but extended monographs on ecclesiastical areas and places are not so easily attainable. A good example of the latter is the article on Abyssinia by I. Guidi, which contains an excellent summary of the history, the theology, and the ritual of the Abyssinian Church. The *Dictionnaire* is entirely the work of Catholic scholars and will deal only with topics directly connected with the Catholic Church.

*The Source of "Jerusalem the Golden", together with other Pieces attributed to Bernard of Cluny.* In English translation, by Henry Preble. Introduction, Notes, and Annotated Bibliography by Samuel Macauley Jackson, Philip Schaff Memorial Professor of Church History in New York University. (Chicago, University of Chicago Press, 1910, pp. vii, 207.) The core of this book is the *De Contemptu Mundi* of

Bernard of Cluny, translated into English by Henry Preble, which occupies three-fourths of the one hundred pages given to translations. The introductory matter, which occupies another one hundred pages, includes an historical introduction and a bibliography, the latter being perhaps nine times as long and important as the former. There is a suitable index.

This translation of Bernard's "On Scorn of the World" is most welcome. To add one more of the really characteristic books of the Middle Ages to the number of those accessible in English translation and in convenient form is in itself a real contribution to historical study and teaching, and this one is well chosen and executed. Like Coulson's paraphrase of Salimbene, this translation will do more to give a lively idea of the time to the average reader and teacher of medieval history than half a dozen editions of the text.

The historical introduction is rather slight and perhaps even more non-committal than is necessary. It would have done no harm at least to have recited the arguments for the English origin of Bernard.

The bibliography is obviously the part on which the editor has lavished time, labor, and affection quite in proportion to the space that he has allowed, and in it he has made real contribution—of a sort more often found with editions than with translations, to be sure, but none the less welcome for that. He has seen, as he says, every manuscript and every translation of the poem of which he has heard and every edition that exists, and he describes them all minutely, with a gusto for details which sometimes leads to a certain discursiveness of style, as well as excess of detail, both of which things will be readily forgiven. The half-page digression on the *Dictionary of National Biography*, the long full titles inclusive even of poetical quotations, the frequent careful datings of minor bibliographical adventures, giving year, month, day of month, and day of week, are a little out of perspective, but, at worst, err on the side of generosity and do no harm.

The work as a whole is the useful and scholarly aggregate of an able encyclopedia editor and impassioned bibliographer, riding, in a way of his own, the difficult fence between the popular and the highly scholastic, and providing material for both teacher and research student.

E. C. RICHARDSON.

*Les Cas Royaux: Origine et Développement de la Théorie aux XIII<sup>e</sup> et XIV<sup>e</sup> Siècles.* Par Ernest Perrot, Chargé de Conférences à la Faculté de Droit de Paris. (Paris, Arthur Rousseau, 1910, pp. 370.) In spite of great advance made in the institutional history of medieval France, there are still large gaps in our information, and a thorough study of the *Cas Royaux* has long been necessary. The theories of the early legists and of scholars like Du Cange, Laurière, Jousse, and even Brussel; must be taken with caution. Numbers of institutions which it would be important to know both from the point of view of

history and of law, until the appearance of the present work, have not been the subject of minute investigation.

In the matter of the sources for this subject there is wide variation. Those of the thirteenth century have almost all been printed. On the other hand few of those pertaining to the fourteenth have seen the light. Laborde and Boutaric published two volumes of the *Actes du Parlement de Paris* (1863-1867), and Beugnot, three volumes (in four) of the *Olim* (1839-1849). But the printed series of the criminal registers does not go beyond 1312, and the civil registers only to 1318. The quantity of manuscript material, we are told, is so great that no one scholar can hope to digest all of it. Since practically all the *cas royaux* were in the domain of criminal law M. Perrot has chosen three series of special value—the thirteen registers of the Parlement of Paris extending to 1400; the registers of the Grands Jours de Troyes which begin in 1367; the registers of the Exchequer of Normandy, which extend, with lacunae, from 1336. None of these records is complete, especially the first, but the gaps are partly filled by a digest of them made by Lenain in the seventeenth century.

The body of the book is in three parts. In the first eleven various kinds of *cas royaux* are distinguished, among them being the crimes of lèse majesté, counterfeiting, official maladministration, infraction of royal safeguards, highway robbery, etc. The second part is a highly technical inquiry into the nature and procedure of the *cas royaux*. The third is a particular study of the ducal causes in Normandy. It is impossible in a brief review to set forth the amount of new information the author has amassed. It is novel, for example, to find heresy at the end of the fourteenth century considered as a *cas royal* (p. 34). To most readers part I. will prove of greatest interest and value, but the student of law will find much in the highly technical pages of part II. in which, it may be said, M. Perrot shows that the term *cas royaux* was of sixteenth century devising and foreign to the legal terminology of the Middle Ages. There are thirty-four pages of *pièces justificatives*.

JAMES WESTFALL THOMPSON.

*Inventaire des Sceaux de la Collection des Pièces Originales du Cabinet des Titres à la Bibliothèque Nationale.* Par J. Roman, Correspondant de l'Institut. Tome I. [Collection de Documents Inédits sur l'Histoire de France, publiés par les soins du Ministre de l'Instruction Publique. Troisième Série: Archéologie.] (Paris, Imprimerie Nationale, 1909, pp. v, 943.) To the great French catalogues of seals—Douet d'Arcq's of those in the national archives, Demay's of those of Flanders, of Artois and Picardy, of Normandy, of the collection Clairambault—this work worthily adds another. The seals here catalogued now belong, like those of the Clairambault collection, to the French national library; and to the catalogue of that collection, published a quarter-century ago in the same great series of "documents inédits", the present may be regarded as a

sequel. Of the seals now catalogued the larger part were once the property of the dramatist Caron de Beaumarchais, so notably connected with both the American and the French Revolution. Saved, with the parchments that bore them, from the fire which in 1737 devastated the *Chambre des Comptes* of Paris, they were sold him as waste. In 1784-1785 he sold them back to the royal library, some six hundred quintals of them, for sixty thousand livres. With them are catalogued the gatherings of other collectors and those of the heralds of the realm. Of the fifteen thousand seals belonging to the "pièces originales" only about eleven thousand, however, will be included in the catalogue: those posterior to 1600 are admitted only when remarkable for the eminence of their owners or the interest of their types. Pictorial reproductions there are none; nor are any promised for the second volume, which will complete the work. The legends, however, are carefully transcribed, so far as they can still be read.

G. L. B.

*Recueil de Documents relatifs à l'Histoire de l'Industrie Drapière en Flandre.* Publié par Georges Espinas et Henri Pirenne. Tome deuxième. [Académie Royale de Belgique, Commission Royale d'Histoire.] (Bruxelles, P. Imbreghts, 1909, pp. x, 714.) The products of medieval Flemish industry were, in the main, for home consumption, but even at an early date cloth was manufactured expressly for export. Regulations in its regard became of international importance, and such as are preserved have many tales to tell if read between the lines. This valuable collection has been under way for thirteen years. Volume I. (1906) contained documents of fourteen cities taken alphabetically. Volume II. also covers fourteen, Deynze to Hulst, but actually the papers pertaining to Douai and Ghent absorb the major part of the 712 pages, though only the thirteenth and fourteenth centuries are considered and though the Ghent file proved meagre in comparison with Arras, Bruges, etc., in spite of the undoubted importance of the Ghent drapery. Probably charters and registers disappeared in the political broils frequent in Ghent. The work of MM. Espinas and Pirenne is of inestimable worth for economic history.

*Geschichte der Herzöge von Burgund, 1363-1477.* Von Otto Carrellieri. Erster Band. *Philipp der Kühne.* (Leipzig, Quelle und Meyer, 1910, pp. xii, 189.) This little volume furnishes a splendid guide to pertinent matter in fourteen archives and to an exhaustive bibliography for the beginnings of the Valois dynasty in Burgundy. The narrative purporting to be a biography of Philip the Bold is little more than an attachment to this important bibliographical matter. It is a mere barren scaffold whereon to hang learned and suggestive references. In itself it is arid and almost unreadable, the sole illumination on its chronological pages being quotations from Froissart and Deschamps.



Every petty statement is painfully well attested, so that greedy footnotes eat up nearly a third of every page. Possibly the author will be more expansive in the volumes still to come. It is to be hoped so, for there is ample room for a reliable history of the dukes of Burgundy to replace the many imperfections and shortcomings of Barante. Professor Cartellieri of Heidelberg assuredly should have been the one to write it, for he has steeped himself in his subject, but unfortunately in this volume he has allowed himself to be overpowered by the flood of matter instead of controlling it with a strong hand. He has tried to touch on collateral details naturally suggested because Burgundy of the late fourteenth century was more or less involved with the Empire, the papacy, Flanders, and England as well as France, and in this small compass the details obscure and do not illuminate; and there is no generalization, no universal comment to give them a spark of light. Out of the 189 pages 114 are devoted to the narrative, 12 to appendixes, 36 to *pièces justificatives*, 25 to bibliography, tables, and index. It is an overweighted volume of meagre interest but may easily be of great service to the next comer into the Valois-Burgundian field.

*The Life of Reginald Pole.* By Martin Haile. (New York, Longmans, Green, and Company, 1910, pp. xv, 554.) This book adds one more to the already long list of recent attempts to disseminate and popularize the Roman Catholic view of the great figures of the Reformation. It is written in an interesting and attractive style and numerous excerpts from the original sources appear to corroborate (for the casual reader at least) the prefatory statement that it is "based not only upon already recorded facts, but upon the vast treasure revealed by the diligent students of the archives of Europe". The fact that it was projected and begun by the late Rev. Ethelred L. Taunton, whose monographs have attracted favorable comment in various historical journals, affords additional ground for rosy anticipations. It is prettily printed and bound, and contains numerous excellent illustrations.

Careful reading, however, will effectually shatter the favorable impressions derived from a casual glance. The truth is, that Mr. Haile's book, like most of the species to which it belongs, does not deserve to be treated as serious history. It contains little or nothing which is not as well or better told in one or another of the earlier lives of Pole. The author either ignores or else wilfully disregards the vast majority of non-Catholic scientific historians who have dealt with this field during the past twenty-five years; and though he has used the sources, he diverges from the usual interpretation of them to a degree which demands fuller explanation and corroboration than he is willing to give. A casual comparison of his quotations with the originals from which they are taken affords abundant proof that he does not appreciate the sanctity of inverted commas. There are many misprints and minor errors, *e. g.*, the statement on page 62 that "Ferdinand VII." had obtained from Rome "a breve of Julius II." amplifying and confirming

the dispensation sent to England for the marriage of Henry VIII. and Katharine of Aragon. "Pole's book" is cited under four different titles, one of which, at least, contains a grave transgression of the rules of Latin grammar. The judgments of men and events throughout are most extraordinary. The author's estimate of Pole is fair enough, for the cardinal was one of those happy beings whom friends and foes have always united to praise; but in his characterizations of Pole's contemporaries both in England and on the Continent Mr. Haile shows strong bias and lamentable inadequacy of historical equipment. Instruction and amusement may be derived from a comparison of his estimates of Charles V. and Francis I. with those of the late Bishop Stubbs in the first section of the *Lectures on European History*.

R. B. M.

*Le Siècle de Malte par les Turcs en 1565.* Publié en Français et en Grec d'après les Éditions de 1567 et de 1571. Par Hubert Pernot, Docteur ès Lettres, Répétiteur à l'École des Langues Orientales Vivantes. (Paris, Honoré Champion, 1910, pp. xvi, 199.) This work forms a volume in the *Collection de Monuments pour servir à l'Étude de la Langue et de la Littérature Néo-Helléniques*.

Of the two relations edited by M. Pernot, one, in French prose, is ascribed to Pierre Gentil de Vendosme, the other, in Greek, to Antoine Achelis. The latter, an example of Cretan literature of little value historically, is a poetic version of the former. The publication of both within the same covers serves to illustrate (Pernot, p. ix) "par un exemple caractéristique un procédé littéraire qu'Achéliis n'est pas seul à avoir employé, mais qu'il nous est rarement donné d'apercevoir de façon aussi nette".

The prose version, written by a contemporary, containing letters from Malta and Sicily, temperate and impartial in character, is a valuable source. M. Pernot chooses the French or fourth edition, passing over the three earlier Italian editions; and does not explain why he assigns its authorship to Gentil de Vendosme, whose name is signed to the first (1565), third (1566), and fourth (1567) editions, rather than to Marino Fracasso, who is connected with the first edition, is the only author mentioned in the second (1565), and to whom Achelis refers (V. 1420-1429). This situation reminds the student of the sixteenth century of that relation of Charles V.'s campaign against Tunis, which has been credited to Antoine de Perrenin and to Guillaume de Montoiche.

ARTHUR IRVING ANDREWS.

*The Parallel between the English and American Civil Wars.* The Rede Lecture, delivered in the Senate House, Cambridge, on 14 June, 1910. By Charles Harding Firth, M.A., Regius Professor of Modern History, Oxford. (Cambridge, University Press, 1910, pp. 50.) Professor Firth points out a similarity in the political causes of the two great conflicts, in the struggle respecting sovereignty, but shows how

different was the political problem respecting union. In the military aspect, he shows the resemblances growing out of the efforts to form armies from raw material, the superficial resemblance of objective—London-Oxford and Washington-Richmond, the great difference between a sectional war and one in which parties were much less localized. The consideration of the differing rôles played by aristocracy leads to a comparison between Cromwell and Lincoln, in statesmanship and in religion. The lecture closes its suggestive pages with a comparison of results, and of the part played by compromise and moderation in them.

*Versailles Royal.* Par J. Fennebresque. (Paris, Honoré Champion, 1910, pp. 282.) M. Fennebresque has considered Versailles from a point of view "tout utilitaire". By the side of the "futilities that made up the life of the court" there was "a current of serious ideas followed, for the most part, by practical and durable results". Among these serious ideas were the formation of the Grand Canal, with its flotilla of craft of all kind; the organization of a "Little Venice"; the establishment of experimental gardens of various sorts; the "Orangerie"; the replantation of the gardens and parks of Versailles; and the project of a museum. The problem of supplying the canal and fountains of Versailles with water led to experiments that contributed to the progress of hydraulics and mechanics; the canal served as a "porte d'essai" for engines of war and vessels of various types, and between Havre and Versailles "there was a constant exchange of specialists and circulation of material"; so valuable were the results obtained by the application of new methods of culture to fruit trees and vegetables that Versailles later became the seat of the National School of Horticulture; the botanical garden was highly esteemed by scientists; valuable experiments were conducted at Versailles in agriculture, in infantry tactics, in gunnery, and in ballooning. In addition to this little-known side of Versailles, the volume contains a few chapters on the "futilities" of the royal residence, such as the Hermitage of Mme. de Pompadour, Itinerary of the Promenades of the Royal Family in the Parks of Versailles, two chapters on Mme. Elizabeth, and one—not to be numbered among the "futilities"—on the Petit Séminaire de Versailles. M. Fennebresque has done his work well, drawing his data from the archives of France and Venice, from the most valuable printed sources, and from a large collection of monographs on Versailles. The work is illustrated by several full-page half-tones.

F. M. F.

*Letters and Papers of Charles, Lord Barham, Admiral of the Red Squadron.* Volume II. Edited by Sir John Knox Laughton, M.A., D.Litt., Hon. Fellow of Caius College, Cambridge, Fellow of King's College, London. [Publications of the Navy Records Society, vol. XXXVIII.] (Printed for the Society, 1909, pp. xxii, 438.) The chronological period covered by this second volume of the letters of Lord

Barham is that of 1779-1795. His letters to Lord Sandwich in the period of the American Revolution contain very serious criticisms of the Admiralty Board, and the replies of the First Lord of the Admiralty show a marked unwillingness to profit by the representations of his sedulous friend. Lord Sandwich's abuse of his office, especially his shameful perversion of its patronage, is notorious. If half the criticisms of Lord Barham (then plain Charles Middleton) were justified, the weakness and erratic conduct of the British navy during a good part of the Revolutionary War is perfectly explicable. The "impress service" was made frightfully expensive because large numbers of the impressed men had soon to be discharged as invalids or unserviceable, ships lay idle in the ports for want of orders an incredibly long time, the "desertions from ships and hospitals are beyond imagination", the discipline of the service was "entirely lost", all, writes Middleton, "owing to admiralty indulgence, but still more to admiralty negligence". The representations of Middleton, made with perfect frankness to Lord Sandwich, constitute a serious indictment of the Admiralty Board. As Middleton wrote: "The whole system of the admiralty is rotten and it must tumble about your lordship's ears if it is not soon altered."

After appealing in vain to Lord Sandwich, Middleton turned to Lord North and Lord George Germain, and finally to the king. A commission of inquiry was at last appointed, and a large number of the papers included in this volume are sketches of reports referring to the work of the Navy Board, and intended for the use of that commission. In fact that commission, the editor informs us, was mainly guided by the carefully prepared papers of Middleton. These sketches, together with many crude memoranda, notes for letters to be written, and the rough copies of letters sent, constitute the greater part of this second volume of the Lord Barham papers. This volume differs from the first in that nearly all the material here presented is the composition of Middleton himself. His account of the work of the Navy Board—and Middleton knew the whole system—is a very valuable contribution to the inner history of the British navy.

In May, 1794, Middleton joined the Admiralty as senior naval lord under Lord Chatham. His letters from that time on throw much light on the conduct of the early years of the long war with France. When Chatham retired, Earl Spencer succeeded him, and official differences with the new head finally compelled Middleton's resignation. The details of the quarrel are found in the correspondence presented in this publication.

The editing exhibits the same high standard of scholarship manifested in the first volume of these papers. There is an excellent introduction and a very useful index.

C. H. VAN TYNE.

*The French Revolution: a Political History, 1789-1804.* In four volumes. By A. Aulard, Professor of Letters at the University of Paris. Translated from the French of the third edition, with a preface,



notes, and historical summary by Bernard Miall. (New York, Charles Scribner's Sons, 1910, pp. 367; 322; 392; 334.) The first French edition of this work appeared in 1901 and was described in this journal, VII. 567. The third edition, published in 1905, from which Mr. Miall's translation is made, differs from the first only in the correction of errata. The translator has added more than one hundred pages of supplementary matter, chiefly chronological summaries and biographical notes. In a preface to the first volumes he gives a review of conditions in France on the eve of the Revolution. He has enlarged the index somewhat by adding to the principal page-references a few words indicating in each case the point, but he has not ventured to add subject-references to the references to names tabulated in the original index, although this would have increased the usefulness of the volumes.

The translator has, on the whole, succeeded in rendering the French clearly and in vigorous English. Occasionally the choice of a word or phrase does not seem fortunate. For example, Professor Aulard's words "un testament de mort" in reference to Robespierre's speech, July 26, 1794, is translated a "death testament". The word "épuration", applied to the sifting process by which committees could be relieved of the presence of "undesirable citizens", is translated "purgation", perhaps because Carlyle used the same word, but it does not look natural out of Carlyle's pages. There is no suggestion in the French word of such an equivalent, and if it is desired to recall Colonel Pride's method, why not use the shorter word "purge"?

The value of the chronological summaries prefixed to the volumes is doubtful. It would have been better to have allowed Professor Aulard to have told his own story without addition or comment. The translator's statements do not always agree with the text. Professor Aulard says of the speech of July 26, "it does in truth produce an effect of melancholy not wholly devoid of nobility", and refers to it as a "grand discours", but in his summary Mr. Miall explains that Robespierre "in a long, wild speech out-Héberts Hébert". It is difficult to understand how he could have read the speech and yet so described it. Perhaps he was thinking of Carlyle's characterization of the speech, which was hardly more exact. The summaries are also not free from errors of fact; for example, the statement that Babeuf committed suicide in court, or that the German troops, July 12, 1789, fired on the people in the Tuileries gardens. But in spite of such defects in the editing of the work, students and teachers of the French Revolution must feel under obligation to the translator and publishers for bringing before the larger audience that cannot readily use the original so excellent and well-printed a version of Professor Aulard's great book.

H. E. B.

*Le Club des Cordeliers pendant la Crise de Varennes et le Massacre du Champ de Mars.* Documents en grande partie Inédits, publiés avec des Éclaircissements, des Notes, et une Planche par Albert Mathiez.

(Paris, H. Champion, 1910, pp. iv, 392.) By the side of the monumental and semi-official publications edited by Aulard and the late Sigismond Lacroix, this volume seems very modest indeed. It is, however, so far as its scope allows, a valuable contribution to the history of the French Revolution at one of its critical moments. It affords a survey of the activities of the Cordeliers after the flight of the king, and gives considerable that is new and of interest on the beginnings of republicanism in France.

The first forty pages, M. Mathiez devotes to a sketch of the early history of the Cordeliers, "ce club plus célèbre que connu". He points out clearly and in telling epigrammatic language the difference in the organization, purposes, and activities of the Cordeliers and the Jacobins. On the question of origin he differs radically from Aulard and the accepted view, and successfully argues for a date in April, 1790 (pp. 2, 161). The remainder of the work is given to sources and notes. These fall naturally into two groups. The first deals with the sessions of the club; and in the absence of the procès-verbal, which existed only in manuscript and was probably destroyed, the proceedings are pieced together from the club's journal, from decrees, placards, and other writings emanating from the society. The second group relates to "Le procès du Champs de Mars", a considerable portion having appeared separately in the first number for 1910 of the *Annales Révolutionnaires*. Here the documents are drawn from "le dossier judiciaire", the reports of the special committees of the assembly, the papers of the accused lawyer M. Buirette de Verrières, and from the trial of Bailly before the Revolutionary Tribunal.

The editing is scrupulously in accord with approved standards; the notes are numerous and scholarly, though one might justly ask for a more charitable attitude towards co-workers whom the documents prove in error (cf. pp. 2, 3, 45, n. 1, 49, n. 2, 161, etc.). Historical scholarship is greatly indebted to M. Mathiez for making accessible this material for the history of a society about whose influence there has long been so much conjecture.

WILLIAM E. LINGELBACH.

*L'Église de Paris et la Révolution.* Par P. Pisani, Chanoine de Notre-Dame de Paris, Docteur ès-Lettres. Volume III., 1796-1799. (Paris, Alphonse Picard et Fils, 1910, pp. 430.) This third volume tells a story that is less tragic than the preceding one. No guillotine, no violences at the hands of the mob, and, except for the short period of Fructidor, no serious persecutions. The religious policy of the Directory is not without analogies with that of the Third Republic: a policy of suspicious and armed neutrality, with occasional outbursts of intolerance. Since the separation of Church and State was the law, the government was only concerned with defending itself against a possible reaction; hence the deportation of several hundreds of nonjurors or "renegades" who had not taken the new oath of "hatred for royalty and anarchy" called for by the law of the 19 Fructidor, an V.; hence also

the closing of churches that had been opened unlawfully, the law allowing only fifteen in Paris. But M. Pisani acknowledges the improvement of conditions and establishes an instructive parallel between the attitude of the Terrorist administration and that of the Directory. "Under the Directory the law reigns; a law always interpreted in its narrowest sense and somewhat stretched to fit the occasion: but even arbitrary measures are covered and sanctioned by legislative power." He is obliged to recognize also that the hostility towards the Church is not due only to fanaticism and hatred for what *L'Ami du Peuple* calls "an erroneous religion"; it was due, to a large extent, as it has been under the Third Republic, to the fact that the Church was "compromised" by the "support" of the foes of the constitution.

The story of these three years, 1796-1798, is thus mainly taken up by the controversies, discussions, and quarrels of *Les Réunis* and *Le Presbytère*, which were the principal organs of the constitutionals; the encyclical of December, 1795, in which the prelates set forth their Gallicanism; the abortive brief of Pius VI. of July, 1796, calling for the recognition of the government by the Catholics; the election of the constitutional bishop of Paris; and the proceedings of the National Council of 1797. The chapters, however, that are more likely to interest the general reader are those devoted to the famous sect of the "Theophilanthropes" and to the efforts made by the Directory to enforce the new division of the month into *décades* and the futile and somewhat ridiculous attempts to dethrone Sunday for the benefit of the *décadi*.

The compliments which we have in our previous notes given to the impartiality of M. Pisani as a historian may justify us in regretting that he should feel obliged, when discussing men and doctrines that are not, like himself, under the cover of official orthodoxy, to use language that is more of the journalist than the scholar or the priest, the flippant vulgarity of which cannot but detract from his authority and trustworthiness.

O. G.

*A Century of Empire, 1801-1900.* In three volumes. By the Right Hon. Sir Herbert Maxwell, Bart., F.R.S., D.C.L., LL.D. Volume II., 1833-1863. (London and New York, Longmans, Green, and Company, 1910, pp. xiii, 355.) The second of Sir Herbert Maxwell's three volumes, *A Century of Empire*, is a consistent continuation of the first. There is the same easy narrative style in the relation of successive political events and intimate political gossip of the period covered, 1833 to 1868; also a half-dozen very good engravings. In addition is the author's avowal of Tory principles, justified by his belief that without partizanship history is not "readable" and that "it is peculiarly unfortunate for the Tory and Conservative party that English historians of the nineteenth century have been hitherto, without a single exception, Whigs or Radicals" (p. 18). Here then one may look for the present-day Tory interpretation of the events of this interesting period. Except for its sharp denunciation of Walpole's findings the point of view is

not ultra and the treatment is generally kindly. Certain Tory leaders are subjected to criticism, notably Disraeli, to whose gifts of speech and tact the author accords only moderate approbation. Of the Liberal or Whig leaders, Melbourne receives the most generous and sympathetic treatment, "masking unsparing industry and excellent business capacity under an affectation of indolence and *poco curante*" (p. 72). The opportunity of piling up evidence of Palmerston's essential inefficiency has been eagerly grasped, though Lord John Russell is more harshly treated than any other Whig minister, mainly on the ground of egotistical self-seeking and political treachery.

Throughout the volume there appear occasional references to present-day topics in relation to past events. Thus, in treating of the Crimean War and the Turkish question, the author dissents from Lord Salisbury's later declaration that English policy in defending Turkey had been mistaken, maintaining that recent Turkish reform movements attest the beneficial results of England's friendship. Not that Sir Herbert Maxwell applauds Turkish liberalism, but that in its basic principles he sees an element binding the states together—thus checking foreign aggression. For this happy result the old Tory policy is held responsible.

English relations with the United States are barely touched—the topics connected with the Civil War occupying but ten pages. Not merely aristocratic and governing England, but practically all England, the author states, sympathized with the South. No proof, however, is presented (p. 306). Regarding English neutrality, "The plain and unpalatable truth is that the *Alabama* was, to all intent and purpose, an English pirate." The superficial character of the work is apparent in the treatment of the cotton famine, for, quite evidently, neither Rhodes nor Arnold has been consulted, while the one reference given, presumably to Watts, is cited as "Walls". But the volume is not serious history, though in its thoroughly readable narrative of personages and manoeuvres it offers diverting Tory criticism of English politics.

E. D. ADAMS.

*Die Ueberleitung Preussens in das Konstitutionelle System durch den zweiten Vereinigten Landtag.* Herausgegeben von Hans Mähl. (Munich and Berlin, R. Oldenbourg, 1909, pp. xii, 268.) The multitudinous and far-reaching revolutionary movements of the year 1848 have somewhat overshadowed the earlier phases of Prussian constitutional development which happened to fall within the same period. The present monograph is a minute and critical study of the second United Diet. The brevity of the Diet is no fair measure of its importance, for, in contrast with the first United Diet of 1847, it actually accomplished results that gave direction to the later constitutional history of Prussia. In his introduction the author gives a sketch of the constitutional movement up to March, 1848. It is shown that the policy of Frederick William IV., always idealistic and vacillating, was the outgrowth of



the king's theory of absolutism rather than of his German national ideas, as Ranke and others have maintained.

The book has three divisions, dealing with the preparatory discussion during the time of the Arnim ministry, the work of the Diet itself, and the struggle with the social revolution. Especial attention is given to the analysis of public opinion in the days immediately following March 18. Mähl declares that this date may be taken as the "birthday of political parties in Prussia". It was now, and not at the time of the first Diet, as Treitschke held, that the scattered and unassimilated parts of the monarchy became nationalized. This was particularly true of the Rhine provinces. It is an interesting example of the unifying power of public opinion long repressed but now finding an adequate means of expression. The exuberant and self-confident political activity of the time gave evidence of a long period of reparation. It is made clear that the popular will was for the time dominant, and that during the March days the people calmly assumed that the constitution was actually to be what they willed it to be.

The Diet had to deal with three questions, the draft of a constitution, the electoral law, and the financial problem. That the movement was not premature is shown by the rapidity and effectiveness with which these matters were disposed of. Mähl believes that Prussia now profited by the Stein-Hardenberg reforms of 1811, because those reforms saved the government and ruling classes from the bitterness of the peasants that must otherwise have had to be reckoned with in this revolutionary year. There was as yet little trace of class antagonism or of any class-conscious movement on the part of the laborers. But while it is unsafe to conclude that the Prussian revolution was, from the side of the proletariat, a social revolution, it is made clear that political questions were already beginning to be recognized as fundamentally social in their bearing.

The book is in no sense a specific history of the Prussia revolution even during the actual life of the Diet. It is rather an exhaustive, almost a microscopic, analysis of the workings of public opinion as expressed through newspapers, letters, addresses, and the speeches in the Diet itself. There is a copious bibliography but no index.

ULYSSES G. WEATHERLY.

*The Making of the Balkan States.* By William Smith Murray, Ph.D. [Columbia University Studies in History, Economics, and Public Law, vol. XXXIX., no. 1.] (New York, Longmans, Green, and Company, 1910, pp. 199.) Walpole in his *History of Twenty-five Years* says that Palmerston declared that only three men in Europe ever understood the Schleswig-Holstein Question, and added that one, the Prince Consort, was dead, another, a Danish statesman, was mad, and the third (he himself) had forgotten it.

Not less intricate and tangled are questions encountered in tracing the history of the Balkan States. Dr. Murray has, with bravery and

patience, in preparing what we take to be a doctor's thesis, addressed himself to the task of exploring the voluminous literature, which in various tongues is accessible on the subject. He has done his work with thoroughness. Indeed he has gone so much into detail that in a work of two hundred pages it is impossible not to run the risk of being rather arid. But he has made a creditable and scholarly study. He appreciates correctly the characteristics of the different states and traces with clearness the relations of the great powers to the conflicts between those states and the Ottoman Empire. Since his work was written Montenegro has risen to the dignity of a kingdom. Perhaps this adds new force to his sound conclusion that a confederation of the Balkan States is not probable.

Number 19 of the *Publications of the American Jewish Historical Society* (New York, the Society, 1910, pp. ix, 259) has as its longest article one by Mr. Samuel Oppenheim on the Jews and Masonry in the United States before 1810. Mr. Leon Hühner collects the scanty data respecting Jews connected with the colleges of the thirteen original states prior to 1800. Mr. David Sulzberger relates the history of the beginnings of the immigration of Russian Jews into Philadelphia; and there are in the volume various minor notes.

*Legal Development in Colonial Massachusetts, 1630-1686.* By Charles J. Hilkey, Ph.D. [Columbia University Studies in History, Economics, and Public Law, vol. XXXVII., no. 2.] (New York, Longmans, Green, and Company, 1910, pp. 148.) In his essay on *Legal Development in Colonial Massachusetts* Mr. Charles J. Hilkey has been very industrious in noting his cases and arranging them according to subject-matter, and his citation of authorities is accurate. The history of the lawmaking factors is naturally imperfect, as that history would require in itself a large treatise. The participation of the church elders in the framing and interpretation of laws is almost wholly neglected, though the church exercised an important influence, and in matters of doubt, was as gravely consulted as any constitutional lawyer could be. While the church was nominally under the state, the church for more than a generation was the more important factor in law. Many of the forms of legal process were borrowed direct from England, others came into use because of their adaptation to colonial conditions. Mr. Hilkey says the colonists tended to revert to early law, and it was not English law of necessity, for the Mosaic law applied in criminal cases. He overlooks the early use of a jury at Plymouth, and in confining himself to the court records fails to avail himself of much interesting explanation of the adoption of a law. The mere crime or sin counts but for little; political or religious agencies pointed out a remedy or a punishment. In this direction the essay could well be developed.

*Some Records of Sussex County, Delaware.* Compiled by C. H. B. Turner. (Philadelphia, Allen, Lane, and Scott, 1909, pp. 387.) It is no

small credit to the little state of Delaware that it maintained its integrity as a colony and state, for few states of the Union have been more exposed to colonial envy and the danger of annexation than the Diamond State. Among the most interesting chapters in the history of Delaware are those of the Dutch and Swedish occupation, and the final struggle against the aggression of the English upon Dutch territory from New Netherland to Cape Henlopen, and the territorial dispute between Penn and Baltimore. It is this early period, more particularly as affecting Sussex, the southern county of Delaware, that is covered by Mr. Turner's volume. The compiler has given a running account of the vicissitudes of the early settlement of Sussex by publishing the original records. The matter is arranged under the following heads, relating roughly to the periods indicated in parentheses: Civil Records (1631-1777), Court Records (1681-1695), Ecclesiastical Records (1791-1852), Miscellaneous Records (1662-1848), and Bible Records (1683-1876).

As the bare enumeration will show, the records contain material relating to all phases of life in Sussex during the earlier periods. While the material comes down in some instances to the nineteenth century, it relates for the most part to the seventeenth and eighteenth centuries. The text of the records is given in the original orthography, and the more valuable on that account. Among the more interesting matter of the civil records are the conveyance of land to the Mennonites for the Swanendael colony at Lewes, the account of troubles with the Virginians at Whorekill (1672), and the change of the name to Sussex.

The court records, beginning with the second entry of the record-book, "the first being well faded out", fill a hundred pages, closely printed, and contain an important account of the life of the county for a period of fifteen years. An interesting parallel might be drawn between the Sussex court records and the Chester court records recently published. This part of the book is perhaps the most important. The ecclesiastical records are very miscellaneous, including the records of St. John's parish, grave-stone inscriptions in St. Matthew's chapel, Cedar Creek Hundred, copies of letters from Thomas Crawford, reports and letters of William Black and William Becket, a list of subscriptions to buy William Becket a farm (1732), letters of Rev. Mr. Usher of Lewes, and the like.

The compiler has rendered an important service in printing old Bible records which are an important source for genealogists. Under this heading of Bible records is included the highly interesting diary or journal entitled "Aletta Clarke's Book", beginning April 28, 1789, and continuing through a number of years. The value of this important contribution to the history of Delaware could have been enhanced by more specific reference to the character of the sources and the places where they are to be found. All Blue Hen's Chickens, however, will be grateful to the compiler for his labors in this part of the history of Delaware.

M. D. LEARNED.

*John Foster, the Earliest American Engraver and the First Boston Printer.* By Samuel Abbott Green. (Published by the Massachusetts Historical Society at the Charge of the Waterston Fund, no. 2, 1909, pp. 149.) In this latest of his many historical works Dr. Green presents in attractive and authoritative fashion the main facts about this very interesting figure in Massachusetts history. Foster's publications appeared in the years 1675-1681 and are of extreme interest to the student of early New England history, as well as to the bibliographer. Many of Foster's imprints have in recent years brought large sums on the rare occasions when they have been sold; the most striking example being the sale of Benjamin Tompson's *New England's Crisis* (1676). One copy of this work is mentioned by Dr. Green as owned by the Boston Athenaeum. This copy, although lacking the title-page, is assigned by Dr. Green to the list of books probably printed by Foster. In the Sotheby sale of June 28, 1910, a copy of this rare work was sold to Mr. Quaritch for £195. Other noteworthy sales are Increase Mather's *The Wicked Man's Portion* (1675), said to be the first book printed in Boston, which brought two hundred and fifty dollars at the Hurst sale in 1904; Increase Mather's *A Brief History of the War with the Indians* (1676), the Brinley copy of which was sold for two hundred and sixty dollars in 1879. The collection of the late John A. Lewis, now in the possession of the Boston Public Library, contains the greater part of Foster's publications, including some of exceeding rarity, as for instance *The Wicked Man's Portion* and Hubbard's *Narrative of the Troubles with the Indians* (1677), with the extremely rare "White Hills" map. Although the Boston Public Library leads the list of libraries with large collections of Foster's imprints, both the Massachusetts Historical Society and the American Antiquarian Society have nearly as large a number.

Several good reproductions and facsimiles add interest to Dr. Green's work, while the bibliographies and indexes are deserving of high praise.

*Journals of the Continental Congress.* Edited from the Original Records in the Library of Congress by Gaillard Hunt, Chief, Division of Manuscripts. Volumes XVII., XVIII., 1780, May 8-September 6, September 7-December 29. (Washington, Government Printing Office, 1910, pp. 415-808, 809-1270.) The sixteenth volume was noticed in our last issue (XVI. 174). The rate of production is now three volumes a year. Among the most important matters in the present volumes are: the commissioning of John Adams to raise a loan in the Netherlands, June 20, and to make a treaty, December 29, and of Francis Dana as minister to Russia, December 19; the overhauling of the Treasury Board, and the report of the committee criticizing it, August 25, which, with the subsequent action of November 24, led toward the substitution of the single Superintendent of Finance in the next year; the reorganizing of several military departments, the quartermaster-general's, July 15, the inspector-general's, September 25, the general hospital, September 30;



the instructions to Jay regarding the Mississippi, October; and numberless attempts to deal with the finances of the Confederation. The third (eighteenth) volume has a good index for the whole of 1780.

*Colonial Precedents of our National Land System as it Existed in 1800.* By Amelia Clewley Ford. [Bulletin of the University of Wisconsin No. 352.] (Madison, Wis., 1910, pp. 157.) Through an extensive study of the colonial sources Miss Ford has found precedents for the following features of the national land system: the rectangular surveys of townships, the six hundred and forty acre section, the revenue policy regarding land, the offering of land bounties, the granting of pre-emption rights, and the reservation of natural resources. As the material is well organized and the argument carefully summed up the work should be of real service to students of the colonial and early national periods of our history. To the special student the book will be of interest because of the reasons advanced for believing Colonel Bouquet himself to have been the author of the "military papers" appended to the account of his expedition of 1765, rather than Thomas Hutchins who has usually been so credited. Another topic, of more general interest, is that of the service rendered by Thomas Jefferson in the establishment of the national land system. At one time it was believed that as he was the author of the proposed land ordinance of 1784 he was entitled to the credit for the excellent system adopted in 1785. But when students began to recognize the similarity between the colonial and the national land systems a tendency then appeared to minimize the work of Jefferson and to found the system upon the colonial precedents rather than upon his plan of 1784. Miss Ford has taken a middle ground, her conclusion being that "the system of rectangular surveys was therefore a gradual evolution under conditions peculiar to American colonial life, modified in regard to boundary lines by the reforming doctrinaire mind of Jefferson" (p. 82).

In handling so many statements of fact it is natural that errors should creep in. A few have been noted, but they are of details. It may be questioned, however, whether a single resolution introduced in Congress by Nathan Dane, of Massachusetts, to permit the use of natural boundaries in "particular cases" where the rectangular lines were inadvisable "proves that the peculiar excellence of the national township system—the checkerboard arrangement of lines—was not contributed by New England" (p. 75).

The study is a careful and valuable one. It is a pity that an index was not provided to render the many facts more available.

PAYSON J. TREAT.

*La Conjura de Aaron Burr y las Primeras Tentativas de Conquista de México por Americanos del Oeste.* Monografía por V. Salado Álvarez, Miembro Correspondiente de la Academia Mexicana y Socio de Número del Liceo Altamirano. (Mexico, Museo Nacional, 1908, pp.

viii, 64.) This is a monograph dealing with the Aaron Burr Conspiracy. Señor Alvarez has gone over part of the ground, having delved in the archives at Washington and Mexico. He unearths, however, no new fact of particular consequence, and arrives at the conclusion that the Burr enterprise aimed only at the conquest of Mexico. He bases his discussion in large part on the work of McCaleb—*The Aaron Burr Conspiracy*. Full bibliographical references are given. The chief value of the study lies in the fact that Mexican students are beginning to look at some of our larger problems from the other side. Many of us have never realized that there were two sides to the medal.

*State Banking before the Civil War*, by Davis R. Dewey, Ph.D., Massachusetts Institute of Technology, and *The Safety Fund Banking System in New York, 1829-1866*, by Robert E. Chaddock, Ph.D., University of Pennsylvania. [Senate Document no. 581, 61st Congress, 2d session.] (Washington, Government Printing Office, 1910, pp. 388.) The National Monetary Commission has performed a good service in providing students and the general public with these two excellent compendiums of a subject, or two allied subjects, important in our economic history. Within recent years a considerable number of monographs on the history of state banking in the various states have been published, prepared either as doctoral dissertations or under the auspices of the Department of Economic Research in the Carnegie Institution of Washington. Upon the basis laid down by these and by extensive study of the early reports and other original materials, Professor Dewey has constructed a survey which is systematic as distinguished from the chronological or geographical order, and in which, under twenty-eight general heads and a number of subheads, all aspects of state banking before the institution of the national bank system are so set forth that they can be readily apprehended and their lessons drawn. This, very compactly written, fills rather more than half the volume. The remainder is occupied with Professor Chaddock's sound and thorough survey of the history of the New York regulating system.

*Abraham Lincoln: an American Migration. Family English not German.* By Marion Dexter Learned, Professor of the Germanic Languages and Literature of the University of Pennsylvania. (Philadelphia, William J. Campbell, 1909, pp. xii, 149.) The purpose of this book is to disprove the contention set forth by Louis P. Hennighausen in the *Report* for 1901 of the Society of the History of the Germans of Maryland, that Abraham Lincoln was descended from a German family originally settled in Pennsylvania, and spelling its name Linkhorn. This purpose is so effectually accomplished that that theory can never again be seriously entertained. The method employed is that of giving documentary evidence of the migration of Lincoln's ancestors from England to Massachusetts, and thence to New Jersey, Pennsylvania, Virginia, and Kentucky. This evidence is for the most part here printed, much

is given by photographic reproduction, and it is supplemented by illustrations of various Lincoln homesteads. Chapter VIII., pages 130 to 134, discusses the various forms of the name found in these documents, and clinches the argument by giving a contemporary emendation of a court record stating that "Linkhorn" was properly "Lincoln".

In working out his primary purpose the author has in addition made a valuable contribution to the history of American immigration. The reviewer is not aware of any other continuous family movement so profusely illustrated by printed documents. The procession of motives is clear at nearly every point, though not perhaps to quite the extent claimed by the author in his concluding chapter. A connection between the Lincolns and the Boones is established, and though the author seems to make it closer than the documents warrant, its sentimental value should offset some of the picturesque episodes that scientific history has been demolishing.

CARL RUSSELL FISH.

*John Lothrop Motley and his Family: Further Letters and Records.* Edited by his Daughter and Herbert St. John Mildmay. (London and New York, John Lane, 1910, pp. xi, 321.) Next after Lowell, Motley was the best of American letter-writers, and a supplement to the *Correspondence* published in 1889 deserves to be welcomed. Some of the letters from his pen in the present volume, particularly of the Civil War period, rank with the best of those embraced in the earlier series, but most do not. The correspondence with Bismarck is decidedly interesting. Most of the volume, however, is made up of letters by other members of Motley's family, chiefly his wife and his eldest daughter, afterward Lady Harcourt. Mrs. Motley, so obscured in the earlier collection that it does not even give her full name, was a woman of intelligence and cultivation, whose letters respecting London social life in the fifties have considerable interest. More sprightly, and perhaps better, are those of Miss Lily Motley describing Vienna diplomatic life in the sixties. There are excellent and interesting illustrations, chiefly portraits.

*History of Crises under the National Banking System.* By O. M. W. Sprague, Assistant Professor of Banking and Finance in Harvard University. (Washington, Government Printing Office, 1910, pp. v, 484.) This report is devoted to a study of the operations of the national banks during the crisis of 1873, the panic of May, 1884, the financial stringency of 1890, the crisis of 1893, and the crisis of 1907, the first and last occupying by far the largest portion of space. Owing to the variety of disturbing factors which influence commercial conditions, it is extremely difficult to apportion the responsibility when panics arise. The deep-rooted inclination to speculate which characterizes the American people, the patchwork system of currency, and the operations of banks are all important elements which have to be taken into account. It is natural that banking authorities should be disposed to place the

responsibility for disaster upon the first two of the above factors, and for the most part financial students have followed their example. Professor Sprague, however, has concentrated his attention upon the national banks, and endeavored to determine whether with the imperfect tools they had at their command, they did their work as well as could be expected. He studies their loans, deposits, cash reserves, circulation; he is not content with treating the banks as a whole, or even by customary geographical groupings, but pursues the analysis more intensively to the operations of individual banks. He reaches the "depressing conclusion that the banking situation in 1907 was handled less skilfully and boldly than in 1893, and far less so than in 1873". The study is based upon a most careful use of documents, newspapers, and statistical returns; one hundred and fifty pages are given to reprints of important material, and there is a most serviceable index of over twenty pages.

D. R. D.

*Leona Vicario, Heroína Insurgente.* Por Genaro García. (Mexico, Museo Nacional de Arqueología, 1910, pp. 11, 210.) So little has been done in the history of the revolution of Mexico that the story of Leona Vicario can but be applauded. Señor García has given us a fairly well-drawn biographical study of the famous heroine. On account of uncovering new materials he has been enabled to excel the sketch of her by Bustamante, who so much admired her. Also it may be said that Sosa and Barquera in their brief studies have been totally eclipsed.

The most important document unearthed is the journal of the trial of Leona, which in itself is a volume, and more or less biographical. The details elucidated are instructive, particularly as relates to the functions of Church and State and the manner in which the individual was articulated to society.

The life of Leona Vicario is traced from the beginning with some reference to her antecedents, giving us a description of the educational modes of her time and the part played by religion. The chapters devoted to her later studies, her independent reading, the books which were available and popular at that time, are interesting.

A glimpse is given of the family relation, and of the early love affairs of Leona. It was just at the blossoming time when she became a thorough convert to the revolutionary propaganda. One of the inspiring sheets which helped in her conversion was the *Seminario Patriótico Americano*; also she had access to numbers of volumes of French literature, which at that time was so thoroughly saturated with the fumes of the revolution. Once she had thoroughly espoused the cause of the Mexicans she did not hesitate to resort to whatever extremity the occasion warranted. She aided and abetted the revolutionists in every possible way, forwarding their mails, and furnishing them with money—even at the expense of her jewelry—and provisions, as far as was in her power. Of course it was only a question of time until the minions of the government got track of her and ran her down. The story of her vicissitudes, imprisonment, flight, capture, trial, is fascinating.



What with the materials at hand and the inspiring subject the author might easily have made a better book, for Señor García wields a facile pen. The most sweeping criticism lies upon his not clinging more closely to his subject, as, for instance, when he is led for a time at the chariot-wheel of Señor Obregon.

The book is carefully printed and is embellished with a number of appropriate illustrations; bibliographical citations are numerous. The book is a further evidence that Mexico is rapidly developing a school of writers, with modern conceptions of the essentials and with higher ideals.

W. F. M.

*La Intervención Francesa en México segun el Archivo del Mariscal Bazaine.* Octava Parte y Novena Parte. [Documentos Inéditos ó muy Raros para la Historia de México, edited by Genaro García. Tomos XXVII. y XXX.] (Mexico, Bouret, 1909, 1910, pp. 264, 264.) The eighth and ninth parts of this series of documents selected from manuscripts of Marshal Bazaine and published in Mexico under the editorship of Señor García, cover the periods from March 7 to May 26 and May 28 to September 9 of 1865. The volumes contain seventy-one and eighty-three documents respectively, forty-one of which are over the signature of Bazaine, seven being reports to the French Minister of War on general military and political affairs. This selection gives an average of less than two documents a week emanating from the chief administrator of a large army of occupation with important civil functions. This relative paucity of material may be due merely to the nature of the archives accessible to the editor (he does not explain the point) but the fact suggests the incompleteness of the collection, and also perhaps accounts for the disappointing lack of new information.

The relation of the United States to the situation in Mexico assumes a new importance in the period now reached in these papers. Bazaine discusses the subject regularly in each of his reports to the Minister of War, and there are many communications on the topic to and from subordinates and from Maximilian's officials. These latter documents furnish some new evidence to confirm the already familiar opinion that the triumph of the federal cause greatly encouraged the enemies of the French intervention and added men and arms to their feeble forces. Yet the official point of view still continued to be that no overt hostility was expected from the government of the United States, even when prudent measures were being discussed to meet possible invasions from the north bank of the Rio Grande.

Here one finds recorded Bazaine's criticism of projects of general administrative reform of the empire by Maximilian. Explanations of press prosecutions, censures of rampant party spirit, reports of manifestations against Belgian and Austrian troops, semi-apologetic accounts of disorders in various districts, all illustrate the substantial difficulties which beset the imperial government. Bazaine then begins to receive instructions to prepare for the termination of the intervention within a

reasonable time. Some interesting light is thrown upon plans for colonization of confederates and of French-speaking people from California, and upon the vague ambitions of Gwin under the favor of Napoleon.

For the first time Señor García gives his readers, in the ninth volume, a brief explanation of his editorial method in marking his own additions to documents, the lacunae in the originals, etc. The information is belated but welcome. Why may he not give similar explanations on other points previously noted in these reviews?

C. A. DUNIWAY.

### TEXT-BOOKS

*Reading References for English History.* By Henry Lewin Cannon, Ph.D., Assistant Professor of History, Leland Stanford Junior University. (Boston, Ginn and Company, 1910, pp. xv, 559.) Mr. Cannon assumed a tremendously difficult task when he undertook to write this book, and it must be said that he has accomplished it surprisingly well. He has furnished a bibliography of English history which is indispensable for the teacher of English history both in school and in college. The method he has followed, though at first sight apparently confusing, is an excellent one. He has done a service of great value in giving a bibliography not only of English historical works but of poems and novels bearing on English history. Especially commendable are his references to maps in the books mentioned in the second part of his work, which is given up to topics and references.

Opinions will differ as to the writer's duty to give some critical appreciation of the books included in his bibliography. In my own opinion, he should have done this, at least to the extent of starring those books which in his judgment were the best. Opinions will differ, too, about the value of the books in this list. On the whole, the selection is excellent, but I should not have included Hume's *History of England* in six volumes, while I should have mentioned Brewer's one-volume edition of Hume. I should omit Wishart's *Monck*, Palgrave's *Cromwell*, Smyth's *Lectures*, Duruy's *Modern Times*, and Häusser's *Reformation*. On the other hand, the following books ought to be included: Vinogradoff's *Growth of the Manor*, Mrs. Lomas's edition of Carlyle's *Cromwell*, Stainer's *Speeches of Oliver Cromwell*, Foxcroft's *Life and Letters of Sir George Savile*, Tout's *Advanced History of Great Britain*, and there should be a mention of the last editions of Dahlmann-Waitz and of Taswell-Langmead.

The work has been done with unusual accuracy. There are a few errors, for the most part typographical. It is Putzger and not "Putzgers", Hassall and not "Hassal" (p. 75), Montalembert and not "Montlembert" (p. 175). Let me add that in my opinion initials should be given in addition to the authors' names in the reference lists, or, if this is not practicable, they should at least be given when the name is a common one.

RALPH C. H. CATTERALL.

*American Government and Politics.* By Charles A. Beard, Associate Professor of Politics in Columbia University. (New York, The Macmillan Company, 1910, pp. viii, 772.) With his own untiring industry, and with the earnest co-operation of almost a dozen of his colleagues and friends, Professor Beard has very capably accomplished his purpose of a compilation from "the best authorities of recent times" for giving an exposition of our public life. For the enormous masses of facts and figures he has gathered, he has relied on secondary aids, as it would have been physically impossible to go to the original sources himself, and unnecessary to do so as he has chosen the safest guides, such as Wilson, Goodnow, Moore, Reinsch, Foster, Bryce, Cooley, and others. He has been impartial, rarely injecting his own views into the text, so no one need look here for striking comments or for innovating suggestions. Occasionally he inclines very gently from his balance as when he condemns our complicated system of officers and elections.

Although "designed for college students", it is rather hard to see how the book can be very useful pedagogically. It is crowded with too many details to serve as a continuous text-book, while many of the laws and statistics are too quickly superseded for the volume to be satisfactory as a reference repository for more than a brief period. For the latter object, too, the index should be much longer. In spite of the author's care there are also some shortcomings of statement: "water carriage" (p. 415) in this country is not "much cheaper than transportation by rail" except for a few heavy, bulky articles. The two meanings of "impeachment" in the United States Constitution are not sufficiently contrasted (p. 264). In many cases he has failed to state how statutes have been modified or even nullified by the courts. The law limiting hours of labor (p. 734) for women is a case in point, being both in force and not in force at present in this land. But for a rapid summary of past conditions and for a flash-light picture of the present chaos of our governmental machinery, the work is unsurpassed.

COLYER MERIWETHER.

*A History of the United States for Schools.* By S. E. Forman. (New York, The Century Company, 1910, pp. xiii, 419, lxxi.) Mr. Forman has the rare courage of breaking away from routine so as to give us a volume developing, in the main, one conception. Instead of trying to summarize all our past, he presents us as an expanding organism germinating on the Atlantic and spreading westward to the Philippines. He attempts to set out in proper perspective the chief steps in our progress. His pages teem with those forms and results of action that make for growth, industrial, social, intellectual, not the details of military campaigns. Of his forty-five chapters, nearly every heading carries the idea of vivid human movement. For arousing the interest of his audience, young people in school, no purpose could be wiser for that age. From the pedagogical standpoint they are also furnished a thread on which to string the pearls they find in their journey. Start-

ing of course with the discovery of America, the author devotes over a hundred pages, or about one-fourth of the whole, to the colonies to 1776, then two hundred down to the Civil War, with the remaining hundred to the present. Certainly this is all the familiar ground covered by dozens of other school texts, but there is the difference of treatment. Leaving out the usual mass of facts, names, and dates, he clings to his main thesis, choosing the things that best strengthen and illustrate it, all expressed in a very clear, simple, attractive style.

But there are some defects to be noted. At times he weakens in his own faith, and frankly admits that he digresses from "the subject of the Westward Movement" in order to relate the "story of national affairs" (p. 221), wandering into political struggles that he could have linked with his central topic but does not. Again he seems unaware of the geographical influences shaping our destinies. Even on such a cogent example as the Erie Canal, he says not one word about the natural advantages of the route selected. He should have made some explanation of the excess of exports over imports (p. 413). Instead of the fourteen pages of Great Subjects, he should let the students work out such matters from the index themselves. The Roman pagination for seventy-one pages, at the end, is to be unqualifiedly condemned for a class-room work. But all in all, with the fine maps and pictures, if not the best United States school history, there is surely none better.

COLYER MERIWETHER.

*The History of Political Theory and Party Organization in the United States.* By Simeon D. Fess, LL.D., President of Antioch College. (Boston and New York, Ginn and Company, 1910, pp. vi, 451.) Dr. Fess bases his work on the thesis that political parties and political theories in this country rest on the very elements of human nature. There have been, he maintains, many kaleidoscopic changes of garb and nomenclature but at bottom there have been only two contesting principles in our public struggles, whether we call them radicalism and conservatism, strict construction and loose construction, liberty and authority, states' rights and nationalism, centralization and decentralization. Similarly, though names have changed, platforms have been modified, utterances have been revised and attitudes have been reversed, we have had but two parties throughout our life of one hundred and twenty years. Still more remarkable, these two foes have equally divided that stretch of time. "The old Republican and the modern Democratic party" are one and the same, while "the Federalist, the National Republican, the Whig, and the Republican" (of to-day), differ only in title (p. 437).

For developing his theme, the author skilfully pilots us through the mazes of enunciations and deliverances of individuals and groups, from the formation of the Union down, sticking logically to his subject all the time. The great figures in this long drama pass before us, the per-



formances of each being succinctly reviewed, the whole furnishing a very handy, compact narrative of our political life. Some of the best parts of the book are those dealing with the philosophical relations between politics and natural conditions, as in the differences of view between the up-country and low-country in South Carolina (p. 108).

But Benton did not get the resolution of censure of Jackson expunged in one year (p. 157), it took him three years. Johnson could hardly be called "extravagant" in the use of the veto (p. 382) when we recall Cleveland's prodigality with that weapon.

COLYER MERIWETHER.

## COMMUNICATIONS

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

*My dear Sir:*

ON October 18, after reading Mr. J. H. Smith's criticism (in the October number of the REVIEW) of my book, *British Interests and Activities in Texas, 1838-1846*, I addressed to you a letter of protest. In your reply of October 27, you state that "the pages of the REVIEW are always open to writers of books who wish to reply to reviews of their volumes, provided they confine themselves, as you would be disposed to do, to questions of fact."

After considerable hesitation I have concluded to avail myself of this privilege, as I believe Mr. Smith's review should not pass without comment. My book is not an important one. It merely presents the lectures delivered at Johns Hopkins University, and is no doubt deficient in literary form. But Mr. Smith's review is important, if open-minded justice is still requisite to a fair review. As a preliminary to an examination of the review it should be stated that, to the best of my knowledge, Mr. Smith and I are the only students who have read and made transcripts from the manuscript material on Texas, in the British Public Record Office.

Mr. Smith writes that my book "contains numerous errors", and cites twenty-one such "simple cases". Two are absolute errors. Of the nineteen other alleged errors, not differentiated, and so stated as to appear of equal gravity and to reflect equally upon the author, three are instances of carelessness of statement; *e. g.*, Mr. Smith writes: "On page 61 the signing of the Anglo-Texan treaties is correctly stated to have taken place in 1840, but on page 93 this is placed among the events of 1842." It is true that on page 93, near the bottom, "signing" is inaccurately and carelessly used for ratification. In the sentence immediately preceding, however, ratification is used, and on pages 67, 72, 75, 76, 78, 85, 86, the narrative is plainly occupied with the preparations for ratification and the correct word is used, and on page 87 is the following: ". . . on June 28 those treaties were finally ratified. . . ." On

page 93 the word "signing" is regrettable, but a misunderstanding of fact is impossible, and the review is clearly misleading.

To sixteen of the twenty-one allegations of error I object. Six of them are really differences between Mr. Smith and myself as to the meaning of certain documents. They are differences of interpretation—neither errors nor contradictions. Most of these refer to documents in the British Public Record Office (known apparently only to Mr. Smith and myself) and obviously impossible to quote at length in illustration of my objection. But, fortunately, Mr. Smith catalogues one such "error", the bearing of which and the document will be well known to every student of American history. He says, "Page 13: 'at the time there was little question, save in extreme abolition circles, that the allegations of Calhoun [in his correspondence with Pakenham, touching British interference in Texas] had some foundation in fact'; but, as Calhoun merely asserted on that subject what Aberdeen had avowed, the foundation of his 'allegations' was beyond question (*Sen. Doc. No. 341*, 28 Cong., 1 sess., pp. 50, 65)." Everyone knows this document and is aware that Calhoun attributed certain objects and a certain plan to Great Britain, and offered Aberdeen's words to support his allegations. They also know that Aberdeen denied Calhoun's interpretation. Mr. Smith accepts the latter. Indeed, he outdoes Calhoun, who writes, in this document, that he "infers" from Aberdeen's avowal a certain line of diplomacy. Here, Mr. Smith catalogues as an "error" (and without explanation or qualification) what is really a difference of interpretation, and then cites in support of his accusation the very document which we interpret differently.

Another of Mr. Smith's cases of error, not a matter of interpretation, is the following: "Page 145: Aberdeen's note to Ashbel Smith 'disclaimed any intention of interfering in Texan affairs'; but the note added the qualification 'improperly', on which a world of meaning could hang." The charge here is of incorrect citation, and consequent wrong conclusion—a serious charge, and based wholly upon the correctness of Mr. Smith's own notes. I had felt reasonably confident of my own accuracy, but for convincing proof, wrote immediately to my copyist in London for another transcript of Aberdeen's note to Ashbel Smith of September 11, 1843. This transcript reached me on the 15th inst., and is exactly as I have given it on pages 144–145 of the book. The word "improperly" does *not* appear in the note. (Transcript certified by W. H. Powell, 1 Arkell's Villas, Washington Road, Worcester Park, Surrey, England, November 3, 1910.) Now, in fact, the word "improper", or "improperly", in this connection occurs once on it is each time in reference to communications from Ashbel Smith to Aberdeen or to Jones, not from Aberdeen to Ashbel Smith. It does *not* appear in the note from Aberdeen to Ashbel Smith.

The remaining nine alleged errors are misrepresentations. To illus-

trate: "Page 80: 'throughout his career at the Mexican capital Pakenham very accurately reflected the attitude of the government at home'; but on page 123 he is said to have decided to take no action on certain definite instructions." Mr. Smith implies here that I have used the word "reflected" to mean that Pakenham accurately reflected his instructions by carrying out those instructions, and then, that I contradict this generalization by citing a specific instance when he failed to do so. The *entire sentence* on page 80, following an analysis of Aberdeen's change of policy toward Mexico, differing from that of Palmerston, is, as follows: "The change of tone in British policy is indicated by the change of tone in Pakenham's reports, for throughout his career at the Mexican capital, Pakenham very accurately reflected the attitude of the government at home." I do not think many readers would misunderstand the kind of "reflection" intended, in a sentence where the word "reports" is thus used, or regard this as in contradiction to the statement made about Pakenham some forty pages later, on page 123.

Again, Mr. Smith writes, "Page 131: Houston 'argued most vigorously against Santa Anna's proposal for an armistice'; but the British chargé wrote at this time (April 14, 1843) that Houston considered an armistice 'indispensably necessary.' (F. O. Texas, VI.) What he objected to was the idea that the armistice should be followed with an acknowledgment of Mexican sovereignty." Here, Mr. Smith has merely written what I myself wrote of Santa Anna's offer, and yet conveys the impression that I did not know the facts. Three pages before the sentence, a portion of which is quoted by Mr. Smith, I state (p. 128) Santa Anna's armistice overture to be based on a plan of Texan "reannexation to Mexico on terms of local self-government and nominal Mexican sovereignty. Santa Anna commissioned Robinson to make overtures along these lines to the Texas government. . . ."

Again; "The author explains (p. 152) that Elliot's 'only comfort [on hearing that the United States had suggested annexation] lay in the non-committal attitude of Texas and the evident intention of Houston to postpone action'; but why did Elliot forget that (*e. g.*, p. 155) he believed Houston sincerely desired to prevent annexation?" It might be replied that, in any logically constructed work, Elliot, on page 152 (December, 1843), could not very well be accused of forgetting what is postulated of him on page 155 (January, 1844). The fact is, however, as I show, that Elliot's belief in Houston was established long before December, 1843, but that in his dismay at the United States' overture on annexation, he did, for a few weeks, distrust Houston's ability to hold Texas in check. I particularly try to show that Elliot *did forget*, but Mr. Smith's statement would indicate that *I* forgot, and was guilty of contradiction.

It is probably unnecessary to give further illustrations of the nature of the review though I could readily do so. Those I have already given, with such brevity as has seemed possible, should indicate my point.

Believing that I have confined myself to facts, and thanking you for space, I am,

Sincerely yours,

EPHRAIM DOUGLASS ADAMS.

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

*My dear Sir:*

I HAVE examined attentively and with sympathy Professor Adams's letter and think that a few simple remarks may clear up the issues. (1) In order to put the reader on his guard respecting certain matters too large to be discussed in the review of his book, it seemed necessary to suggest that all due care had not been used by the author; and the incorrect stating of a fact was an error and a pertinent consideration even though a correct statement of it could somewhere be found. (2) The author does not distinguish between Calhoun's "allegations" regarding British interference in Texas and Calhoun's declarations regarding the state of Tyler's mind on that subject. (3) According to my notes as well as his, the word "improperly" does not occur in the draft of Aberdeen's letter of September 11 to Smith; but such a qualification was a characteristic—indeed essential—feature of British assurances with regard to interfering in Texas, and a trained investigator who, as I had good reason to believe, examined the letter itself, reported the word. The concurrence of probability and testimony appeared fairly convincing. (4) At a certain date the policy of the British government was to work for peace between Mexico and Texas, but Pakenham when instructed to execute that policy declined to do so. Now did his disobedience or his report that he had disobeyed reflect "very accurately the attitude" represented by his instructions? (5) In February, 1843, Santa Anna proposed through Robinson that Texas accept substantial autonomy with nominal allegiance to Mexico. Against this plan Houston argued. In May Santa Anna proposed through Doyle a sort of armistice. This proposal was primarily due to Houston's earnest though indirect exertions, and obviously it was a mistake to say that he opposed it. (6) As early as February 15, 1843, Elliot became satisfied that Houston desired the permanent independence of Texas; and this belief, strongly reaffirmed in the very despatch (October 31, 1843, secret) in which he reported that the United States had made an annexation overture, was always—in view of Houston's great influence and great political skill—a reasonable ground of hope and comfort, however doubtful popular sentiment, until Houston yielded to pressure in the latter part of April or the first days of May, 1845. (7) As for the residuary complaint, misrepresentation, it would be impossible to prove a negative in the space you could be asked to give me, and the failure to establish an instance is a further reason for not attempting it. Nor is this quite all. Great pains were taken—possibly not with success in every case—to understand and correctly represent the passages cited;



under the circumstances any other aim would have been inconsistent not merely with honesty but with even a low grade of simple human intelligence; and if writing is so done that a painstaking reader misunderstands it, the fault can hardly be charged to him. There are sentences in the book to which I returned again and again in order to determine their precise meaning. (8) Of course Professor Adams's name and position show that his book represents after all a deal of earnest scholarly work. Possibly, as my review was overrunning its limit, I took it rather too much for granted that no proof of this was necessary. Here, and not in the points brought forward by him, there may perhaps be a ground for criticizing the critic.

Respectfully yours,

JUSTIN H. SMITH.

## NOTES AND NEWS

### AMERICAN HISTORICAL ASSOCIATION

Page-proofs of the second volume of the *Annual Report* for 1908 have been read; the index is being prepared. The *Annual Report* for 1909, one volume, will shortly be set up. Besides the material coming from the last annual meeting, it will contain the annual bibliography of books and articles in American history hitherto published under the title *Writings on American History*. The *Annual Report* for 1910 will contain, in volume I., the material derived from the Indianapolis meeting, that from the meeting of the Pacific Coast Branch, the annual bibliography for 1910, and reports of the Public Archives Commission on the archives of Indiana, Kentucky, and Nebraska. For the last-named commission, Professor Charles M. Andrews has undertaken to prepare, from the official materials in the Public Record Office, a list of governors' commissions and instructions and of representations of the Board of Trade. The Committee on Bibliography expects soon to have ready its list of volumes of historical sources in American libraries. The Report of the Committee of Five on History in Secondary Schools will shortly be published by the Macmillan Company in two forms, separately and in conjunction with the Report of the Committee of Seven which it reviews.

The biennial *Handbook* of the Association will be compiled and printed during the early part of the present year. Members are urgently requested to supply the secretary with such data respecting their degrees, academic or other positions, addresses, etc., as they wish to have included in the published list of members.

Mr. Notestein's Adams prize essay on the History of Witchcraft in England will before long be sent to the press.

The Pacific Coast Branch held its annual meeting at Berkeley, November 18 and 19. The presidential address by Professor E. D. Adams was on the Point of View of the British Traveller in America, 1819-1860. Papers were read on the Place of the Utah Pioneers in Western History, by Professor Levi E. Young, on the Attitude of Congress toward the Pacific Railway, by Professor A. M. Kline, on Oregon Pioneers and American Diplomacy, by Professor Joseph Schafer, and on various other topics in European and American history. Professor Bernard Moses was elected president, and Mr. H. W. Edwards of the Oakland High School, secretary and treasurer.

An annual bibliography of American history, prepared by Miss Grace G. Griffin, has for three years been published by the Macmillan

Company, at the cost of a group of subscribing societies and individuals, under the titles, *Writings on American History, 1906, 1907, 1908*, continuing the *Writings on American History, 1903*, published by the Carnegie Institution of Washington. That the permanence of this valuable implement of research may be assured, the American Historical Association, already one of the subscribing societies, has resolved to include the bibliography for 1909 and subsequent years in its *Annual Reports* for those years. The existing volumes will, for the present, continue to be published by the Macmillan Company. The material for 1909 is completed, that for 1910 partially so.

In the series of *Original Narratives of Early American History* the volume of *Narratives of Early Maryland*, edited by Mr. Clayton C. Hall of the Maryland Historical Society, was published in October. The volume entitled *Narratives of Early Carolina*, edited by Mr. A. S. Salley, Jr., is now in press. To announcements previously made it is now possible to add that of a volume of *Narratives of the Insurrections of 1689 (and Bacon's Rebellion)*, to be edited by Professor Charles M. Andrews of Yale University.

#### PERSONAL

Count Albert Vandal, member of the French Academy, and professor in the École Libre des Sciences Politiques, died August 30, aged fifty-seven. His chief works were, *Louis XV. et Élisabeth de Russie* (1882); *Napoléon et Alexandre I<sup>er</sup>* (1891, 1893, 1896); and *L'Avènement de Bonaparte* (1902, 1903).

Professor Karl Daendliker of Zurich died September 14, at the age of sixty-one. Besides his *Geschichte der Schweiz* (Zurich, 1884-1887), perhaps the most widely esteemed of general histories of Switzerland, he had published the first two volumes (1908, 1909) of a most valuable *Geschichte der Stadt und des Kantons Zürich*; the third and final volume may have been left so nearly complete as to warrant publication.

The late Henry Harris bequeathed about 150 volumes and pamphlets of his own works, annotated by himself, and a small number of valuable maps, to the Library of Congress.

Professor Charles M. Andrews lectures at the University of Wisconsin in January, and is to give a course of lectures on American colonial history at the University of Helsingfors in October, 1911.

Dr. H. M. Klein has been made professor of history at Franklin and Marshall College.

The regents of the University of Arizona have advanced Mr. H. A. E. Chandler from the position of assistant professor in history and economics to that of professor of economics and history.

Professor Herbert E. Bolton of Stanford University has accepted a call to the University of California, to serve as professor of American history from July 1 next.

Mr. W. L. Grant, hitherto Beit lecturer on colonial history in the University of Oxford, has been made professor of colonial and Canadian history at Queen's University, Kingston. The Rev. John Dall of Rothesay, Scotland, has been made professor of church history in the same institution.

### GENERAL

A "Universal Races Congress" will be held in London on July 26-29, 1911. Its object is "to discuss, in the light of modern knowledge and the modern conscience, the general relations subsisting between the peoples of the West and those of the East, between so-called white and so-called colored peoples, with a view to encouraging between them a fuller understanding, the most friendly feelings, and a heartier co-operation". The programme provides for the consideration of such subjects as anthropological and social views of race, race equality, national autonomy and civic responsibility, the influence of geographic, economic, and political conditions, the position of women, tendencies toward parliamentary rule, the government of colonies and dependencies, inter-racial economics, the influence of missions, the African problem, the negro in America, the mixed races of Brazil, etc. The president of the congress is Lord Weardale, the general secretary, to whom all inquiries should be addressed, is Mr. G. Spiller, 63 South Hill Park, Hampstead, London.

Messrs. D. Appleton and Company expect to publish about February 1 the first issue, covering the year 1910, of the *American Year Book: a Record of Events and Progress*. Representatives of twenty-nine of the great national learned societies act as a supervisory board, with Professor A. B. Hart as chairman. The managing editor is Mr. S. N. D. North, formerly the director of the United States Census. The book will be a royal octavo volume of about eight hundred pages, and is intended to contain in systematic order an adequate account of American events and progress in all the great fields of activity. The main divisions will be comparative statistics, history and law, government and administration, functions of government, economics and social questions, industries and occupations, science and engineering, the humanities, and a chronological and necrological record. The series is thus adapted to serve as a record of advance in a wide variety of fields, with chief but not exclusive reference to American affairs.

Just before his death M. Léopold Delisle had prepared, at the instance of M. Honoré Champion, a twofold guide for cataloguers, of manuscripts and of early printed books, which is now published under the title *Instructions pour la Rédaction d'un Catalogue de Manuscrits et pour la Rédaction d'un Inventaire des Incunables conservés dans les Bibliothèques Publiques de France* (Paris, Champion, 1910, pp. 99). The text, a product of unrivalled experience, and the illustrative



examples, 50 in the first section, 116 in the second, are well worthy the attention of medievalists who are not themselves cataloguers.

The manual for the classification and description of archives prepared by the Dutch archivists, Drs. Muller, Feith, and Fruin, best known by its German translation by Dr. Hans Kaiser (1905), under the title *Anleitung zum Ordnen und Beschreiben von Archiven*, has been translated into French and adapted to the use of French and Belgian archivists, by Messrs. Henri Stein, of the Archives Nationales, and Joseph Cuvelier, of the Archives Générales of Belgium, with a preface by Professor Pirenne of the University of Ghent. The title of the translation is *Manuel pour le Classement et la Description des Archives* (Hague, A. de Jager, 1910).

The Cambridge University Press have just issued volume XII. of the *Cambridge Modern History*, entitled *The Latest Age*. This completes the work, save that a volume of maps and one of lists and general index will be added.

The publication of the fiftieth volume of *Schulthess' Europäischer Geschichtskalender*, founded in 1861, draws special attention to this remarkable publication, still probably the leading one of the kind. H. v. Sybel wrote the introduction for the first volume; the first twenty-five volumes were edited by Schulthess himself, and the list of later editors includes Dr. Ernst Delbrück (1885-1886), Professor H. Delbrück (1887-1893), Dr. Roloff, and Dr. Ludwig Riess.

No one need be without an historical atlas now that Mr. J. M. Dent has brought out an *Atlas of Historical Geography: Europe*, with maps by Bartholomew, in his marvellously cheap series called *Everyman's Library*. There are some forty-five beautifully executed historical maps, small but simple, made with a reasonable amount of scholarship, as many more of modern geography, a score of small battle-maps, a score of maps illustrating literary works, and a hundred pages of well-made gazetteer and index. Similar volumes for America and the other continents are promised.

In a new series of text-books on economics, political science, and sociology, to be issued by the Macmillan Company under the editorship of Professor Richard T. Ely, there is to be a *History of Economic Thought* by Professor L. H. Haney and a *History of Sociological Thought* by President George E. Vincent.

The School of Peace, a foundation due to Mr. Edwin Ginn, has as its executive head President David S. Jordan of Stanford University. Among measures taken by it for the advancement of the peace movement an interesting development is that of a course at that university, in which Professor E. B. Krehbiel will instruct on the historical and statistical aspects of the effects of war.

The publishing house of Kurt Habitzsch, Würzburg, has begun the publication of a series entitled *Darstellungen über Früh- und Vorgeschichtliche Kultur-, Kunst-, und Völkerentwicklung*. Two volumes have appeared under the editorship of Professor Gustaf Kossinna.

Under the title, *De la Méthode dans les Sciences et dans l'Histoire*, Professor A. D. Xenopol of the University of Bucharest has published through F. Bichon and Durand Auzias, Paris, the course of lectures delivered by him in the Collège de France in 1908.

A summary of the results of a wide range of archaeological work is contained in Band 30 of Professor Eduard Heyck's *Monographien zur Weltgeschichte*, under the title *Das Vorgeschichtliche Europa: Kulturen und Völker*, by Dr. Hans Hahne (Bielefeld, Velhagen and Klasing, 1910).

The Gazette Press, Champaign, Illinois, publishes a *Syllabus of Continental European History* by D. H. Lloyd of the Department of History of the University of Illinois, for use in the general introductory course there in European history, medieval and modern. The *Syllabus* is of unusual extent and is marked by a profuse supply of reading lists.

An interesting contribution to methodology appears under the title "Diplomatica e Storia" in the *Annuario del R. Istituto di Studi Superiori* in Florence, 1909-1910. In this Luigi Schiaparelli deals with the methods of research in diplomatic material as compared with those in more general or more varied fields.

The publication of a history of woman's rights is no doubt well timed. G. P. Putnam's Sons have just brought out such a work by Eugene A. Hecker, bearing the title *A Short History of the Progress of Woman's Rights from the Days of Augustus to the Present Time*. The author has examined the status of women among the principal peoples of Europe but he has devoted his study especially to England and the United States and has laid stress on the enlargement of property rights, the growth of educational privileges, and kindred matters, as well as upon the efforts in behalf of woman suffrage.

In Professor Lamprecht's *Beiträge* the thirteenth heft is *Die Darstellung des Individuums in den "Origines de la France Contemporaine" von Taine* (Leipzig, Voigtländer, 1910, pp. 96), by Karl Fritzsche.

The Duke and Duchess of Arcos have presented to Harvard University, in memory of the late Mr. Woodbury Lowery, brother of the Duchess, the sum of twenty thousand dollars, the income of which is to be awarded from year to year to some person, preferably an instructor or graduate of Harvard, to enable him to carry on research in historical archives, preferably researches relating to American history in the archives of foreign countries and more particularly in Spain.

Ranke literature has received an addition in Hans F. Helmolt's *Ranke Bibliographie* (Leipzig, Dyksche Buchhandlung, 1910, pp. 65). Eighteen

pages are occupied with the lists of works and translations, and the remainder by "Die Schriften über Ranke"; under this latter head are apparently embraced even quite brief references to Ranke in books on quite other themes—a kind of notice which it is manifest can be only partially represented in this limited space. The author intimates a half-formed intention of proceeding to a biography of Ranke. The publication contains as frontispiece an engraving of Ranke in 1859 referred to by the publishing house as "so gut wie unbekannt".

The sixtieth birthday of Professor Lenz, University of Berlin, was celebrated by a group of friends and pupils with a *Festschrift* bearing the title *Studien und Versuche zur Neueren Geschichte* (Berlin, Gebrüder Paetel, 1910). It contains eight essays by the following: Theodor Brieger, Felix Rachfahl, Paul Haake, Wilhelm Stolze, H. von Kämmerer, Hans Delbrück, Erich Brandenburg, Hermann Oncken.

The sixtieth birthday of Professor Karl Zeumer was celebrated by the publication as *Festgabe* of a volume of historical and juridical studies by pupils and friends (Weimar, H. Böhlau Nachfolger, 1910). The historical contributions are in medieval history.

Noteworthy articles in periodicals: G. Ferrero, *Storia e Filosofia della Storia* (Nuova Antologia, November); M. Rosenthal, *Tendenzen der Entwicklung und "Gesetze"* (Vierteljahrschrift für Wissenschaftliche Philosophie, XXXIV. 2).

### ANCIENT HISTORY

Historical as well as classical students will be interested in the recent publication (Gustav Fock, Leipzig, 1910) of a *Catalogus Dissertationum Philologicarum Classicarum: Verzeichnis von etwa 27400 Abhandlungen aus dem Gesamtgebiete der Klassischen Philologie und Alterthumskunde*. Of the 654 pages 252 deal with dissertations on Latin authors, 154 with those on Greek, and 235 with *Alterthumswissenschaften* including history.

There is announced *Les Primitives Civilisations: Études sur la Préhistoire et l'Histoire jusqu'à la Fin de l'Empire Macédonien*, by Jacques de Morvan, formerly director-general of Egyptian antiquities (Paris, E. Leroux, 1910, pp. 600). This is apparently a work of generalization, beginning with "les temps géologiques".

Dr. Philippe Virey's *La Religion de l'Ancienne Égypte* (Paris, Beauchesne, 1910, pp. vii, 352) is a competent general survey made up of lectures given at the Institut Catholique de Paris.

The Deutsche Orient-Gesellschaft reports as to recent progress in its excavations in Babylon and Assur in heft 43 of its *Mittheilungen*, and sums up the new light cast on history and institutions.

The new series, *Entwicklungsgeschichte der Menschheit* (Leipzig, Hinrichs), has added a volume by H. Schneider, *Kultur und Denken der Babylonier und Juden* (1910).

The publications of the year 1909 in the field of Greek and Roman history and archaeology form the subject of a comprehensive summary by Maurice Besnier in the *Revue des Questions Historiques* for October.

The excavation of Cyrene undertaken by the Archaeological Institute of America, and placed under the charge of Mr. Richard Norton as director, was preceded in May and June by a preliminary reconnaissance, but began its permanent development in October.

Hans Delbrück under the title "Antike Kavallerie" publishes (*Klio*, X. 3) a defense of the views on this subject set forth in his *Geschichte der Kriegskunst* against the attacks made by Eduard Meyer in *Theopomps Hellenika*. Professor Meyer's contention is that the ancient cavalry were of much less efficiency against good infantry than supposed by Professor Delbrück. On this difference of view as to the value and place of this arm of the ancient military forces depend quite different views as to the history of the most famous battles of antiquity.

The American Book Company announces *A Handbook of Greek Religion* by Arthur Fairbanks, director of the Boston Museum of Fine Arts (pp. 384). The author discriminates clearly between Greek religion and Greek mythology and says nothing of the latter. There is appended a brief critical notice of the existing literature in this field.

Loescher and Company, Rome, have published *Die Thermen des Agrippa: Ein Beitrag zur Topographie des Marsfeldes in Rom*, by Chr. Huelsen (1910, pp. 43). Plans and illustrations are profusely provided and the publication is distinguished by the fine workmanship of this house.

Noteworthy articles in periodicals: G. M. Bolling, *Homeric Armor and Mr. Lang* (Catholic University Bulletin, October); P. Wendland, *Beiträge zur Athenischen Politik und Publicistik des Vierten Jahrhunderts*, I. *König Philippos und Isocrates* (Nachrichten von der K. Gesellschaft der Wissenschaften zu Göttingen, Phil.-Hist. Kl., 1910, 2); A. Janke, *Die Schlacht bei Issus* (*Klio*, X. 2); G. De Sanctis, *La Légende Historique des Premiers Siècles de Rome* (Journal des Savants, March-July); René Pichon, *Un Philosophe Ministre sous l'Empire Romain: Le Gouvernement de Sénèque* (Revue des Deux Mondes, September 1); N. H. Baynes, *Rome and Armenia in the Fourth Century* (English Historical Review, October).

#### EARLY CHURCH HISTORY

Rev. W. J. Sparrow Simpson's *St. Augustine and African Church Divisions* (London and New York, Longmans, 1910, pp. 154) gives in



a small, well-written book a learned, clear, and judicious account of the rise of the Donatists and of Augustine's conflicts, debates, and actions against them.

The Göttingen Academy has finished the printing of volume V. (Emilia) of Professor Kehr's *Italia Pontificia*, and of volume I. (Salzburg) of Professor Brackmann's *Germania Pontificia*, while the first volume of Dr. Wiederhold's *Gallia Pontificia* is well advanced; the three make great additions to the previously known stock of papal documents of the Middle Ages.

W. Konen has undertaken an exhaustive study of *Die Methoden der Germanenbekehrung*, and has published part I. as a Bonn dissertation under the title, *Die Heidenpredigt und der Germanenbekehrung* (Düsseldorf, W. Ohligschläger, 1910).

The Macmillan Company announces *The First Six Centuries of the History of the Church in Gaul*, by Canon Scott Holmes.

A. Hauck in *Die Entstehung der Geistlichen Territorien* (Abhandlungen der Leipziger Gesellschaft der Wissenschaften, Phil.-Hist. Kl., 1909) deals particularly with the general causes of the establishment of ecclesiastical lands and with the composite lay-spiritual position of the bishops.

E. Leroux, Paris, announces *L'Église Arménienne, son Histoire, sa Doctrine, son Régime, sa Discipline, sa Liturgie, sa Littérature, son Présent*, by Malachia Ormanian, ci-devant Armenian Patriarch of Constantinople.

#### MEDIEVAL HISTORY

Professor C. S. Terry has begun the publication with Routledge, London, of *The History of Europe in Relation to that of Great Britain* in two volumes. Volume I., just published, deals with the medieval period.

The Weidmannsche Buchhandlung of Berlin has just published part I. of Professor L. Schmidt's *Geschichte der Deutschen Stämme bis zum Ausgange der Völkerwanderung*, this section being entitled *Die Geschichte der Ostgermanen*. It will be noted in this connection that a third revised edition by D. Coste of *Isidors Geschichte der Goten, Vandalen, Sueven, nebst Auszügen aus der Kirchengeschichte des Beda Venerabilis* was published in 1910 (Leipzig, Dyk) as Band X. of *Die Geschichtschreiber der Deutschen Vorzeit*.

Quelle and Meyer, Leipzig, announce *Altgermanische Religionsgeschichte*, by R. M. Meyer.

Dr. Elias A. Loew has practically finished his work on the Beneventan Script. It will be published in a series of plates, one hundred in number, entitled *Scriptura Beneventana*, and a volume of text entitled *The Bene-*

*ventan Script*, both to be published by the Archaeological Institute of America.

In the *Romanische Forschungen*, XXVI., Jules Pirson has begun an important study under the title "Le Latin des Formules Mérovingiennes et Carolingiennes".

Father E. Tucek, S.J., in his *Untersuchungen über das Registrum super Negotio Romani Imperii* (Innsbruck, Wagner, 1910, pp. 77), studies a papal register of great importance for the first twelve years of Innocent III., devoted to the relations between the pope and the emperor.

The Heidelberg Academy of Sciences has undertaken the publication of the "Capuaner Briefsammlung" contained in Codex Latinus 11867 of the Bibliothèque Nationale of Paris. The manuscript contains material of great interest for the period of Innocent III., and is known chiefly through the use already made of it by Professor K. Hampe, who will edit the projected edition.

A brief review of interest is Professor G. Schnurer's article in the *Deutsche Litteraturzeitung* for September 10 entitled "Neuere Litteratur zur Geschichte des Tempelordens".

The biography of St. Francis of Assisi by the Danish Catholic littérateur Johannes Joergensen, a work not faultless in critical scholarship but of the greatest literary charm and insight, has been translated into French, German, Flemish, and Italian. The French version, by T. de Wyzewa, *Saint François d'Assise, sa Vie et son Oeuvre* (Paris, Perrin, 1909, pp. cii, 536), is we understand the most to be recommended, having important additions by author and translator.

Father Leonhard Lemmens's *Der hl. Bonaventura, Kardinal und Kirchenlehrer aus dem Franziskanerorden* (Kempten, Kösel, 1909, pp. viii, 288) is to be recommended as an authoritative monograph, based on the long labors which the author, president of the chief Franciscan institution of historical learning, the College of St. Bonaventura at Quaracchi, has expended in editing the works of the Seraphic Doctor.

M. Bretschneider, Rome, has published *Lettres de Benoit XII., 1334-1342: Textes et Analyses publiés par le Doct. Alphonse Fierens* (1910, pp. cxxii, 588).

The house of Th. Weicher, Leipzig, announces a third edition, enlarged (two volumes), of Professor Th. Nöldeke's *Geschichte des Qorans*. The revision is the work of Professor Friedrich Schwally.

Noteworthy articles in periodicals: E. Caspar, *Studien zum Regester Johannis VIII.* (Neues Archiv, LXIII. 1); P. Fedele, *Ricerche per la Storia di Roma e del Papato nel Secolo X.* (Archivio della R. Società Romana di Storia Patria, XXXIII. 1-2); H. Rubat du Mérac, *L'Abbaye de Cluny* (Revue des Questions Historiques, October); E. Göller, *Die Päpstlichen Reservationen und ihre Bedeutung für die Kirchliche Rechts-*

*entwicklung des Ausgehenden Mittelalters* (Internationale Wochenschrift für Wissenschaft, XI. 12).

### MODERN EUROPEAN HISTORY

The interesting question of the relations of Luther and Erasmus has by an unusual chance been engaging recently the attention of three separate students who have published almost simultaneously. These publications are: André Meyer, *Étude Critique sur les Relations d'Érasme et de Luther* (Paris, Alcan, 1909, pp. xv, 194); Karl Zickendraht, *Der Streit zwischen Erasmus und Luther über die Willensfreiheit dargestellt und beurtheilt* (Leipzig, Hinrichs, 1909, pp. xii, 205); H. Humbertclaude, *Érasme et Luther: Leur Polémique sur le Libre Arbitre* (Paris, Blond, 1910, pp. xxiii, 297).

John Murray announces *Sea Wolves of the Mediterranean: the Grand Period of the Moslem Corsairs*, by Commander E. Hamilton Currey, R. N., with illustrations.

M. Dorbon aîné, Paris, has just issued M. Loys Delteil's *Manuel de l'Amateur d'Estampes du XVIII<sup>e</sup> Siècle*, an exhaustive history of eighteenth-century engraving, with descriptions of more than 1800 prints, short biographies of 795 artists, and much other information. All the continental countries of western Europe (as well as England) are represented, and there are 106 reproductions. A companion-work is issued by Messrs. Bell, London, *French Portrait Engraving of the XVIIth and XVIIIth Centuries*, by T. H. Thomas.

Noteworthy articles in periodicals: P. Kalkoff, *Zur Luthers Römischen Prozess* (Zeitschrift für Kirchengeschichte, XXXI. 3); P. Richard, *Origines et Développement de la Secrétairerie d'État Apostolique, 1417-1823*, III. (Revue d'Histoire Ecclésiastique, October); F. C. Roux, *La Russie et la Politique Italienne de Napoléon III.*, II. (Revue Historique, November-December).

### GREAT BRITAIN AND IRELAND

The King has appointed a Royal Commission to inquire and report as to the working of all acts concerning public records in England and Wales, the rules and regulations now in force at the Public Record Office, the arrangements now in operation for the care and treatment of public records in England and Wales, the record publications of the United Kingdom issued since 1838, the custody of local records, the Record Office establishment, the training of archivists, etc. The commission will consist of Sir Frederick Pollock, chairman; Sir Evan Vincent Evans, Professor Charles H. Firth, Dr. Montague R. James, Mr. F. G. Kenyon, Mr. Sidney Lee, Mr. Henry Owen, Mr. H. R. Tedder, and Mr. W. Llewelyn Williams. Mr. Hubert Hall of the Public Record Office is appointed secretary.

Professor D. J. Medley of Glasgow publishes for students' use a well-selected volume of documents entitled *Original Illustrations of English Constitutional History* (London, Methuen, 1910, pp. xi, 397). It embraces several score of the most essential documents. Those in Old French are translated, as in Stubbs's volume; the reading of the Latin documents is helped ingeniously by marginal summaries.

The house of G. J. Göschel, Leipzig, has published *Die Englische Gerichtsverfassung* by Dr. Heinrich B. Gerland (two volumes, 1910).

The Oxford University Press announces *The Life of the Black Prince by the Herald of Sir John Chandos*, edited by M. K. Pope and E. C. Lodge; *Tudor and Stuart Proclamations, 1485-1714*, calendared by R. Steele under the direction of the Earl of Crawford (two volumes); *Historical Geography of the British Colonies*, by C. P. Lucas, part IV., *Newfoundland*, by J. D. Rogers; *The English Factories in India*, by W. Foster, volume V., 1634-1636; *Henry Fox, First Lord Holland*, by T. W. Riker (two volumes).

Dr. Charles Plummer's *Vitae Sanctorum Hiberniae partim hactenus ineditae* (Oxford, Clarendon Press, 1910, two volumes, pp. xcii, 273, 391) contains thirty-two lives, chiefly from Dublin and Oxford manuscripts. A third of them are unpublished. All are edited with the learning and thoroughness characteristic of Dr. Plummer's editions of Bede and the *Chronicle*.

The Historical Association, Gray's Inn, London, publishes as Leaflet 22, September, 1910, *The Development of the Castle in England and Wales* (pp. 32, iv). The leaflet is accompanied by plans and a bibliographical note.

Elliot Stock, London, publishes *Domesday Book: the Cambridgeshire Portion of the Great Survey of England by William the Conqueror, A. D. MLXXXVI*. This is the first separate publication of this part of the survey and is printed both in the original and in a translation of the year 1867 by the Rev. William Bawdwen. The editor is the Rev. C. H. Evelyn-White, who supplies an introduction (pp. xxxviii, 174).

The Pipe Roll Society has published volume XXXI. (London, St. Catherine Press, 1910, pp. xxviii, 206), this being *The Great Roll of the Pipe for the 28th Year of the Reign of King Henry the Second, 1181-1182*. The introduction is by Mr. Round.

Number XIV. of the Harvard Historical Studies is *The Frankpledge System*, by William Alfred Morris, professor of history in the University of Washington (Longmans, Green, and Company, 1910).

The Selden Society has just issued volume XXIV. of its publications, the fifth volume of its series of year-books, *The Eyre of Kent, 6 and 7 Edward II.*, edited by Messrs. Maitland, Harcourt, and Bolland.



The publication of John Leland's *Itinerary in and about the Years 1535-1543*, edited by Miss Lucy Toulmin Smith, is now completed by the addition of volume V., containing parts IX.-XI., with appendixes, glossary, and index, as well as various other sorts of aid to the student, including maps.

In September Longmans published Professor A. F. Pollard's *From the Accession of Edward VI. to the Death of Elizabeth*, the concluding volume of the *Political History of England*.

Dr. Rudolf Jung's *Die Englische Flüchtlingsgemeinde in Frankfurt-am-Main, 1554-1559* (Frankfurt, Baer, 1910, pp. 66), is an alphabetical list of names, with biographical data, useful to students of the history of Calvinism.

Constable, London, has just issued *A History of English Dramatic Companies, 1556-1643*, by J. Tucker Murray (two volumes).

The Oxford University Press has published recently *The French Renaissance in England: an Account of the Literary Relations of England and France in the Sixteenth Century*, by Sidney Lee.

Messrs. D. Appleton and Company publish *The Reconstruction of the English Church*, by Dr. Roland G. Usher of Washington University, St. Louis. The work is concerned especially with the policy of Archbishop Richard Bancroft.

Anyone who wishes a very brief but clear and competent survey of the history of Puritanism in England may be recommended to read Dr. John Brown's *The English Puritans* (Cambridge, University Press, 1910, pp. 160).

The following recent publication will doubtless be a welcome addition to the scanty material in this field: F. K. and S. Hitching, *References to English Surnames in 1601: an Index giving about 19,650 References to Surnames contained in the Printed Registers of 778 English Parishes during the First Year of the Seventeenth Century* (Walton-on-Thames, Charles A. Bernan, 1910, pp. lxx).

The Cambridge University Press has begun the publication of a series of *Girton College Studies* with a volume by Miss Theodora Keith on *Commercial Relations of England and Scotland, 1603-1707*. Two other volumes are announced for immediate publication.

Dr. William Robert Scott, lecturer in political economy in the University of St. Andrews, has brought out, through the Cambridge University Press, the second volume, shortly to be followed by the first, of a work entitled *The Constitution and Finance of English, Scottish and Irish Joint-Stock Companies to 1720*. The first volume will record the general development of the joint-stock system in Great Britain and Ireland up to 1720, with due consideration of the chief social, political, industrial, and commercial tendencies which influenced it. The second

volume treats specifically of the companies formed for foreign trade, colonization, fishing, and mining.

Messrs. Harper and Brothers publish in America *Lord Chatham: his Early Life and Connections*, by Lord Rosebery.

John Murray, London, announces *Industrial England in the Middle of the Eighteenth Century*, by Sir Henry Trueman Wood.

*The War in Wexford: an Account of the Rebellion in the South of Ireland in 1798*, by Messrs. H. F. B. Wheeler and A. M. Broadley (London and New York, John Lane, 1910, pp. xvi, 343), is based especially upon the papers of the Earl of Mount Norris, but includes also the full text of the journal of Mrs. Brownrigg of Greenmound.

Stephens and Hunt's *History of the Church* has just been completed by the publication, as volume VIII., of *The English Church in the Nineteenth Century*, by F. W. Cornish, vice-provost of Eton College.

John Murray announces volume I. of the *Life of Benjamin Disraeli, Earl of Beaconsfield*, by W. F. Monypenny, to cover the period 1804-1837; the work will be completed in four or five volumes. Lord Rowton, who was designated by Lord Beaconsfield as his biographer, died before proceeding beyond the arrangement of the material, and the trustees of the estate after considerable delay fixed upon the present editor. He has depended largely upon Disraeli's letters (many of which have already been published), and has made considerable use of the biographical indications in the novels. The volume has been reviewed by Lord Morley in a recent issue of the *Times*.

The Macmillan Company has just published *The Reminiscences of Goldwin Smith*, edited by Arnold Haultain, the deceased writer's secretary and literary executor.

It is announced that Mr. George Macaulay Trevelyan is engaged in writing the life of John Bright.

*The Right Honorable Cecil John Rhodes: a Monograph and a Reminiscence*, by Sir Thomas Fuller, agent-general for the Cape of Good Hope and one of the trustees of the Rhodes bequests, is published by Longmans, Green, and Company (1910). The work results from close intimacy with Mr. Rhodes from 1881 to his death, and is apparently devoted to this period.

*The British Empire: its Past, its Present, and its Future* (London, The League of the Empire, 1909, pp. xxxii, 864), written by various high authorities and edited by Mr. A. F. Pollard, is an important attempt to summarize in one volume the history and resources of the various parts of the British Empire.

Students of recent British and colonial history will welcome such a valuable compilation as *The Legislation of the Empire, being a Survey*

of the *Legislative Enactments of the British Dominions from 1898 to 1907* (London, Butterworth, 1909, four volumes), edited under the direction of the Society of Comparative Legislation by C. E. A. Bedwell.

Longmans, Green, and Company announce *A History of Wales from the Earliest Times to the Edwardian Conquest*, by John Edward Lloyd, professor in the University College of North Wales.

Number VII. of the *St. Andrews University Publications* is *The Statutes of the Faculty of Arts and the Faculty of Theology at the Period of the Reformation*. It is edited with introduction and notes by Robert Kerr Hannay (St. Andrews, W. C. Henderson and Son, 1910). The introduction occupies pages 1-86 and the statutes (in the original Latin), pages 87-135.

Messrs. Macle hose and Sons announce a new volume of William Law Mathieson's *History of Scotland* under the title *The Awakening of Scotland*, dealing with the period 1747-1797.

The Madras Government Press has issued (1908-1910) *Selections from the Records of the Madras Government: Dutch Records*, nos. 1-10. The Dutch documents which this series is intended to publish cover the period 1664-1825 and an English catalogue of them was issued a few years ago. The total number of documents is 1632, only the more important of which will be published; those in this volume are concerned wholly with the eighteenth century.

Documentary publications: *Calendar of the Patent Rolls*, Henry III., 1258-1266; *House of Lords Manuscripts*, vol. V., 1702-1704; *Historical Manuscripts in the Welsh Language*, vol. II., pt. iv.; *Acts of the Privy Council, Colonial Series*, III.; *Papers of J. B. Fortescue, Esq., of Dropmore*, VII., 1804-1805 [Historical Manuscripts Commission].

Noteworthy articles in periodicals: L. Riess, *Zur Vorgeschichte der Magna Charta* (Historische Vierteljahrschrift, XIII. 4); W. Busch, *Englands Kriege im Jahre 1513*, Guinegate, Flodden (*ibid.*, XIII. 3, 4); J. H. Clapham, *The Last Years of the Navigation Acts* (English Historical Review, October).

## FRANCE

The *Catalogue Général des Manuscrits des Bibliothèques Publiques de France* has had added to it recently a volume on the library of the Senate, one embracing several smaller Paris libraries, an index to the volumes dealing with Rheims, and a catalogue of the Prosper Tarbé collection at Rheims.

The liberality of M. Jacques Doucet, known for his private collections, has recently made possible the beginning of a series of *Publications pour Faciliter les Études d'Art en France*, and there has appeared under this head the first issue of a *Répertoire d'Art et d'Archéologie*, to

be published quarterly with the object of giving a complete review of French and foreign journals of art and archaeology.

In 1860 M. Hippolyte Cocheris published a general index to the *Journal des Savants*, but no such aid has been in existence for the later period. When this journal recently ceased to be the organ of the entire Institute and was placed under the control of the Academy of Inscriptions M. Jean Tissier was entrusted with the task of making good this deficiency, and his *Table Analytique des Articles du Journal des Savants* was issued by Hachette in 1909. The new index is much less elaborate than the old, however. Another useful piece of work of this kind is the recent index of the *Mercure de France* for the period 1672-1832, prepared by M. Étienne Deville, with special reference to entries in the field of art.

The new *Revue d'Histoire des Doctrines Économiques et Sociales* (founded in 1908) has recently undertaken the additional publication of a *Bulletin Bibliographique d'Histoire Économique et Sociale*, limited to French material and edited by MM. Roger Picard and Marc Barry.

An interesting volume of varied contents is *Mélanges Offerts à M. Émile Chatelain par ses Élèves et ses Amis* (Paris, 1910). The contributions are mainly in the field of Carolingian palaeography and are accompanied by unusually good facsimiles.

Fascicle 27 of the *Recueil de Travaux publiés par les Membres des Conférences d'Histoire et de Philologie* of the University of Louvain is entitled *La Juridiction Ecclésiastique en Matière Bénéficiale sous l'Ancien Régime en France*, I., *La Juridiction Contentieuse* (Brussels, Albert Dewit, 1910; pp. xxxi, 217). It is the work of Pierre Delannoy. The author deals with the ecclesiastical jurisdiction as falling into *volontaire* and *contentieuse*, and the present volume takes up the cases of the latter category occurring in connection with the *appels comme d'abus* and *la règle du dévolut*. The treatise is prepared with the supervision of Professor A. Cauchie and is submitted apparently as a doctoral dissertation.

In the *Collection des Textes sur l'Histoire des Institutions et des Services Publiques de la France Moderne et Contemporaine* edited by Professor Camille Bloch and published by Edouard Cornély, Paris, there has just been published *Les Impôts Directs sous l'Ancien Régime et Principalement au XVIII<sup>e</sup> Siècle*, by Professor Marcel Marion. There will appear soon in the same series the following works: *Le Gouvernement Révolutionnaire*, by P. Mautouchet; *Le Recrutement de l'Armée pendant la Révolution et l'Empire*, by P. Caron; *Le Crédit au XVII<sup>e</sup> et XVIII<sup>e</sup> Siècles*, by Germain Martin.

Hachette, Paris, has issued complete part I. of tome IX. of the Lavissee *Histoire de France*, dealing with *Le Règne de Louis XVI., 1774-1789*; it is the work of H. Carré, P. Sagnac, and E. Lavissee. The second



part of tome IX. will be a *Table Analytique* and is announced for the beginning of 1911.

Professor Fred M. Fling expects to have the second volume of his *Mirabeau and the French Revolution* ready for the press next summer.

On the repeated recommendation of the Commission on the Economic History of the Revolution the French government has established (June, 1910) an additional "Commission des Recherches sur l'Histoire Économique des Territoires qui ont fait autrefois Partie de la France", consisting of eleven members under the presidency of M. Armand Brette. This commission is now engaged in a preliminary consideration of the scope and methods of work. One of the latest issues of the main commission is *Cahiers de Doléances pour les États Généraux de 1789 (Marne), Bailliages de Sézanne et Chatillon-sur-Marne Réunis*, pt. 1. *Sézanne*. This is edited by Gustave Laurent (Épernay, 1909) and bears strong testimony to the care and completeness with which this material is being laid before us. The *cahiers* are accompanied by such analyses of related documents and by such information as to the physical conditions of the parishes as is required for full comprehension. The second part, for Chatillon-sur-Marne, will appear shortly. M. Roger Picard's *Les Cahiers de 1789 et les Classes Ouvrières* (Paris, Marcel Rivière, 1910, pp. 276) is an important work in this field.

A useful summary is contained in the volume by G. Aron published by Larose and Tenin (Paris, 1910, pp. 98) under the title *Les Grandes Réformes du Droit Révolutionnaire*, being a course of lectures given in the University of Brussels in 1908.

The *Mémoires* of General Decaen, of which the manuscript has been deposited since 1876 in the municipal library of Caen and which has been used there by various writers, is now being edited for publication by Colonel Picard and Lieutenant V. Paulier, volume I. being already published (Plon, Paris, 1910). This volume covers the period 1792—an VIII.

After an interval of sixteen years the French government has resumed the publication of the *Papiers de Barthélemy, Ambassadeur de France en Suisse*, by the issue of volume VI., containing nearly two hundred documents on the negotiations for the treaties of Basel, nearly seventy on the exchange of the Princess Marie Thérèse, and a general index.

The Conseil Général of the Seine has begun a series entitled *Histoire des Communes Annexées à Paris en 1859*; the first issue is an imposing volume on Bercy by Lucien Lambeau (E. Leroux, 1910). M. Lambeau is secretary "de la commission du Vieux-Paris". In this volume he has endeavored to establish the topography of the ancient Bercy and bring together the documentary material for the domains which formerly constituted it. These documents are appended with

explanatory notes. Plans and photogravures add much to the value of a volume having the greatest interest to all who are interested in the archaeology of Paris. A preface explains the origins and plans of the commission entrusted with the work of which this is one of the first-fruits. There remain ten other communes to be dealt with under this head, and if the work continues to be done on this scale the enterprise will become one of magnitude; taking it in connection with the new *Bibliothèque d'Histoire de Paris* a large amount of trustworthy monographic work will soon be at the disposal of the student.

M. Rod. Reuss of the National Archives has for some time been engaged in a thorough study of Alsatian archives with a view to adding to his *Alsace au XVIII<sup>e</sup> Siècle* a history of the Revolution in Alsace. Meanwhile he has issued a part of his material in a recently published volume, *Notes sur l'Instruction Primaire en Alsace pendant la Révolution* (Paris, Berger-Levrault, 1910, pp. 332). He has also published recently in the *Revue des Études Juives* a study entitled "Quelques Documents Nouveaux sur l'Antisémitisme dans le Bas-Rhin de 1794 à 1799".

Documentary publications: *Lettres de Louis XI.*, volume XI. (and last); R. Delachenal, *Chronique des Règnes de Jean II. et de Charles V.*, I., 1350-1364 (Publications de la Société de l'Histoire de France, Laurens, pp. 352); E. Deprez, *Oeuvres Complètes de Maximilien Robespierre*, pt. I. (Société des Études Robespierriistes, Paris, Leroux); A. Fribourg, *Discours de Danton* (Hachette, pp. xxxviii, 274); A. de Boislisle, L. Lecestre, and J. de Boislisle, *Mémoires de Saint-Simon*, XXII. (Hachette, pp. 557); C. Stryenski, *Mesdames de France, Filles de Louis XV.*; *Documents Inédits* (Paris, Émile-Paul, pp. viii, 354); L. Delavaud, *Documents Inédits sur le Duc de Saint-Simon, 1694-1746* (La Rochelle, 1910).

Noteworthy articles in periodicals: R. Busquet, *Les Cadastres et les Unités Cadastres en Provence du XV<sup>e</sup> au XVIII<sup>e</sup> Siècle* (Annales de Provence, 1910); E. Griselle, *Louis XIII. et sa Mère*, I. (Revue Historique, November-December); H. Cavaillès, *Une Fédération Pyrénéenne sous l'Ancien Régime* (*ibid.*, September-October, November-December); E. Levasseur, *Les Grandes Campagnes de Commerce sous le Règne de Louis XIV.* (Annales des Sciences Politiques, July 15); Albert Sorel, *Deux Conceptions de l'Histoire de la Révolution: Taine et M. Aulard* (Revue des Deux Mondes, September 1); Ph. Sagnac, *Les Origines de la Révolution: La Décomposition de l'Ancien Régime* (Revue d'Histoire Moderne et Contemporaine, July-August); A. Aulard, *Napoléon et l'Instruction Publique: La Loi du 11 Floréal an X et son Application* (La Révolution Française, September-October); P. Muret, *Émile Ollivier et le Duc de Grammont des 12 et 13 juillet 1870*, concl. (Revue d'Histoire Moderne et Contemporaine, July-August).

## ITALY AND SPAIN

All searchers in Italian archives will be grateful to the Ministry of the Interior for the issue of the manual, *Ordinamento delle Carte degli Archivi di Stato Italiani: Manuale Storico Archivistico* (Rome, 1910, Tipografia Mantellate, pp. xiv, 312), in which a conspectus is given of all the divisions and subdivisions of all the nineteen Italian state archives, with accounts of their history and organization, and bibliographies of their catalogues and of articles descriptive of them.

The fifth volume of *Gli Archivi della Storia d'Italia*, published under the direction of G. Degli Azzi (succeeding to G. Mazzatinti), deals with a number of municipal collections investigated by different scholars. Volume VI. is devoted to the state archives of Reggio and is the work of U. Dallari. It may be noted in this connection that a considerable addition to the Roman archives or rather perhaps a considerable increase in the facility with which they may be used seems likely to follow from a recent order for the concentration in the palace of the Lateran of the archives of the Roman parishes.

An interesting situation seems to exist in regard to the proposed establishment at the University of Rome of a chair in the philosophy of history. May 20 the Minister of Public Instruction introduced into the Chamber a measure to this effect and its acceptance by the Chamber seems probable; the Faculty of Letters of the University, however, has voted against the proposal (May 26), though it is not clear whether this is through hostility to the idea or through hostility to the expected selection of Guglielmo Ferrero for the new chair.

An important contribution to the history of the papal archives is the study by F. Ehrle in the *Mélanges Chatelain* (Paris, 1910) under the title "Die Frangipani und der Untergang des Archivs und der Bibliothek der Päpste am Anfang des 13. Jahrhunderts". He disputes the previous suppositions as to the nature and place of this destruction and concludes that it occurred at the palace of the Lateran and was due to fire and later neglect and plundering.

Professor Joseph Schnitzer of the University of Munich, after a delay of some years through personal difficulties with the papacy as a "modernist", has resumed the publication of *Quellen und Forschungen zur Geschichte Savonarolas* with a volume entitled *Savonarola nach den Aufzeichnungen des Florentiners Piero Parenti* (Leipzig, Duncker and Humblot, 1910, pp. clxii, 322). Piero Parenti was one of the judges who condemned Savonarola; he left a large body of manuscript on the events of his time, and from this, on the whole not unfavorable to Savonarola, Professor Schnitzer has made selections.

L. Pierro, Naples, has published (1910, pp. 473) volume III. of Fr. Carrano's *L'Italia dal 1789 al 1870: Opera Inedita Pubblicata a Cura del Generale E. Carrano*. The volume covers 1820-1847.

M. Georges Bourgin continues and completes in the *Revue de Synthèse Historique* for August, 1910, his bibliographical summary of the Risorgimento, dealing with the works devoted to the period 1846-1871.

Two important studies have been recently published upon King Charles Albert and his sons Victor Emanuel II. and Ferdinand, duke of Genoa, which exhibit a gratifying sincerity in the historical treatment of these progenitors and great grand-uncle of the reigning king of Italy. One, relating to *Le Idee Politiche del Re Carlo Alberto*, has been published by L. C. Bollea in the *Rivista d'Italia* for October; it denies frankly the revolutionary liberalism of Charles Albert, although maintaining that he showed sincere love for Italy as an enlightened conservative and reformer. The other, relating to *L'Educazione d'un Principe, Ferdinando di Savoia Duca di Genova*, has been published by G. U. Oxilia in the *Nuova Antologia* for November 1; it is based upon the papers of Father Lorenzo Isuardi, preceptor of the two sons of Charles Albert, and throws much new light upon the boyhood of Victor Emanuel II. as well as upon that of his brother Ferdinand; many letters of the princes and other documents are given.

The tenth of August, 1910, was the centenary of the birth of Cavour and the day was observed in Italy as a national holiday. Much publication has naturally occurred recently on the subject of Cavour, accelerated through the coincidence of the falling of this centenary along with the semi-centennial of the movements of 1860. A review of part of the new publications will be found in the *Archivio Storico Italiano* for October, by Ersilio Michel, under the title "Nel Cinquantenario della Rivoluzione Toscana".

Domenico Carutti, who died on August 4, 1909, was one of the last survivors of the old school of Piedmontese patriots, the collaborators of Cavour in the making of Italy, most of whom were at once statesmen, students, and *galantuomini*. Two commemorative studies of his life and works have now been published: Piero De Donato-Giannini's *Domenico Carutti, 1821-1909* (Napoli, F. Casella, 1910), and Laderchi's *Sulla Vita e sulle Opere di Domenico Carutti*, an essay prepared with better historical method, published in the *Rivista d'Italia* for October.

Fratelli Treves, Milan, announce the publication of *I Mille: Memorie Postume*, by Francesco Crispi, edited by his daughter. This is one of the most interesting items in a large number of publications and announcements of this sort representing an activity called forth by the semi-centennial of the Risorgimento events of 1860. A great deal of this activity is displayed by municipal administrations, the Palermo municipal committee for the celebration, *e. g.*, publishing *Documenti e Memorie della Rivoluzione Siciliana del 27 Maggio 1860*.

The municipality of Venice has renewed its offer of a prize of £8000 for the best *Storia Documentata della Rivoluzione e della Difesa di*



*Venezia negli Anni 1848-1849.* The competition is open to all Italian writers and the manuscripts must be deposited by May 31, 1911.

The *States of Italy* series (Methuen, London), edited by Edward Armstrong and Langton Douglas, has added *A History of Verona*, by A. M. Allen, illustrated and accompanied by maps and bibliography (1910, pp. 403).

Fernández de Bethencourt's *Historia Genealógica y Heráldica de la Monarquía Española, Casa Real y Grandes de España* has reached the eighth volume (Madrid, Fernando Fé).

Don Juan Pérez de Guzmán y Gallo has supplied an introduction for the second edition of Antonio Cánovas del Castillo's *Historia de la Decadencia de España desde el Advenimiento de Felipe III. al Trono hasta la Muerte de Carlos II.* (Madrid, Fernando Fé, 1910).

M. Pierre Conard, whose *Napoléon et Catalogne* is reviewed on a preceding page, has published under the title *La Constitution de Bayonne (1808): Essai d'Édition Critique* (Paris, Cornély, 1910, pp. 183) a conspectus of the Spanish and French texts of the constitution in question and of four preliminary drafts drawn up in May and June, 1808. The texts are preceded by an introduction thoroughly describing the process of formation of the document and the events leading up to it.

The John Lane Company has published (September, 1910) *A Queen at Bay: the Story of Maria Cristina and Don Carlos*, by Edmund B. d'Auvergne.

Fernando Fé, Madrid, has published *Un Revolucionario de Accion: Francesco Ferrer, su Vida, su Obra Destructiva, Justicia de su Condena*, by Casimiro Comas (1910).

#### GERMANY, AUSTRIA, AND SWITZERLAND

The *Historische Vierteljahrschrift*, heft 3, "Nachrichten und Notizen", II., contains not only a full statement of the conditions of publication for the *Monumenta Germanica Historica* during the year preceding the annual meeting in April of the Zentralkommission, but also gives detailed information of the issues soon to go to press and of the new undertakings of the commission. Similar information will be found in the *Neues Archiv*, LXIII. 1. An article by A. Werminghoff on the history and work of the commission is published in *Neue Jahrbücher für das Klassische Altertum*, XXV. 7. An interesting note as to Stein's relations to the work is reprinted in the above-mentioned issue of the *Neues Archiv* from a recent contribution to the *Sitzungsberichte* of the Heidelberg Academy of Science. No. 4 of the *Vierteljahrschrift* contains reports from several of the other German historical commissions.

The plenary meeting of the Historical Commission connected with the Bavarian Academy was held May 18-20 under the presidency of

Professor Moritz Ritter. The following new publications were reported: *Allgemeine Deutsche Biographie*, Band 55, *Schluss; Quellen und Erörterungen zur Bayerischen und Deutschen Geschichte*, N. F., *Chroniken*, Band II., pt. 2; *Historische Volkslieder und Zeitgedichte vom 16. bis 19. Jahrhundert*, Band II. The following were announced as in the press: *Geschichte der Deutschen Rechtswissenschaft* (Professor Landsberg), Band III., pt. 2; *Deutsche Städtiechroniken: Lübecker Chroniken*, Band IV. (Dr. Bruns); *Quellen und Erörterungen, Chroniken, Die Werke Veit Arnpecks; Reichstagsakten, Ältere Reihe*, Band XIII., pt. 2, *Albrecht II.* (Professor Beckmann).

The *Mitteilungen der Gesellschaft für Deutsche Erziehungs- und Schulgeschichte* will be known in future as the *Zeitschrift für Geschichte der Erziehung und des Unterrichts*. The society has during the past three years issued ten volumes of the *Monumenta Germaniae Paedagogica*, besides separate publications, and plans to increase its activity in the field of general German educational history.

A work representing much labor and of unusual interest is *Das Deutsche Studententum von den Ältesten Zeiten bis zur Gegenwart* (Leipzig, Voigtländer, 1910), by Fr. Schulze and Paul Ssymank. It is one of the works published in celebration of the hundredth anniversary of the founding of the University of Berlin; part I., dealing with the period 1350-1750, is by Dr. Schulze, part II., by Dr. Ssymank.

*Beniface of Crediton and his Companions* (London, 1910, pp. 372) is an unpretending but scholarly course of lectures delivered some years ago in Bristol Cathedral by the Bishop of Bristol, Right Rev. Dr. G. F. Browne.

*Kulturgeschichte der Deutschen im Mittelalter*, by Dr. George Steinhilber (Leipzig, Quelle and Meyer, pp. 181), a volume in the series *Wissenschaft und Bildung*, is a model of broad, concise treatment of a large subject by an eminent expert.

The house of Carl Kuhn, Munich, has begun the publication of *Deutsche Schrifttafeln des 9. bis 16. Jahrhunderts aus Handschriften der Kgl. Hof- und Staatsbibliothek in München*, edited by Erich Petzet and Otto Gaunung. Abtheilung 1 is *Alt hochdeutsche Schriftdenkmäler des 9. bis 11. Jahrhundert*. The work will be in five Abtheilungen, each comprising fifteen or sixteen photographic plates, and will be completed in 1912.

The second volume of O. Possé's *Die Siegel der Deutschen Kaiser und Könige* has appeared (Dresden, 1910), and is likely to add largely to our knowledge in this field for the period 1347-1493. A special feature is the insertion of twenty-four plates of false seals representing the whole medieval period. A new contribution to the equipment in this work is a small volume by E. Hauviller, *Die Erhaltung der Siegel, ihre Bedeutung für die Historischen Hilfswissenschaften, ihr Kunst- und Kulturgeschichtlichen Wert* (Metz, 1910).

An acute investigation of the matter by F. Frensdorff in *Hansische Geschichtsblätter* for 1910 under the title "Reich und Reichstag" produces the conclusion that the term *Reichstag* does not appear before the end of the fifteenth century, the earlier names in use being *Hof*, *Sprache*, *Tag*, *Versammlung*.

Some of the German historical commissions are in the habit of issuing as *Neujahrsblätter* volumes for the general public, and the Royal Saxon Historical Commission has published in this form a volume by R. Köttschke, *Staat und Kultur im Zeitalter der Ostdeutschen Kolonisation* (Leipzig, Joh. Warner, 1910).

The much vexed question of responsibility for the destruction of Magdeburg in the Thirty Years' War is raised anew by R. Jordan in the *Jahresbericht des Thüringisch-Sächsischen Vereins* (1909-1910) with the publication of some new material tending to fix this responsibility on the Imperialists.

Hermann Hallwich, who in 1879 published a two-volume work entitled *Wallenstein's Ende* and who since that time has discovered much new Wallenstein material, publishes with Duncker and Humblot, Leipzig, *Fünf Bücher Geschichte Wallensteins*, three volumes (1910). The study comes to 1630.

Parey of Berlin has published part 1. of Band V. of Schmoller and Stolze's *Die Behördenorganisation und die Allgemeine Staatsverwaltung Preussens im 18. Jahrhundert*; Band III. of Schmoller, Naudé, and Skalweit's *Die Getreidehandelspolitik und Kriegsmagazinverwaltung Preussens* (dealing with 1740-1756); and Band III. of Schmoller and von Schrötter's *Das Preussische Münzwesen im 18. Jahrhundert* (1755-1765). These volumes appear in the *Acta Borussica*.

The approaching centenary of the War of Liberation has stimulated publication, and the house of Georg Wiegand, Leipzig, has undertaken a new series of "Memoirs and Letters of the Napoleonic Epoch" under the editorship of Theodor Rehtwisch. The opening volume is from the notes of a Saxon officer of the staff, Otto von Odeleben, and bears the title *Mit Napoleon im Felde, 1813*. The series bears the designation, *Aus Vergelbten Pergamenten*.

Heft 21 of the *Abhandlungen zur Mittleren und Neueren Geschichte* is *Die Demokratische Bewegung in Berlin im Oktober 1848*, by Gustaf Luders (Berlin, 1909).

Professor Dr. Adalbert Wahl and the publishing house of J. C. B. Mohr, Tübingen, announce the issue of "eine Sammlung Monographien zur Parteigeschichte", as *Vorarbeiten* rather than as definitive scientific works. While German parties are primarily in mind, studies in French and English party history will be included, and special attention will be given to the mutual relations of political parties in different countries, as also to the social and economic affiliations of individual parties. The



series will begin with a volume by Dr. L. Bergstrasser, *Studien zur Vorgeschichte der Zentrumsparthei*, one by Dr. A. Rapp on *Friedrich Theodor Vischer und die Politik*, and one by Dr. W. Reinohl, *Uhland als Politiker*.

The annual report of the Hansische Geschichtsverein shows the following publication conditions: B. Hagedorn has undertaken the investigation of German-Spanish relations in the sixteenth and seventeenth centuries; the report of Hapke on the "Niederländische Inventarien" has been published; Band VIII., Abth. 3, of the *Hanscrezesse*, edited by Dr. Schäfer, is partly printed; Simson's *Danziger Inventar* will be published in the autumn of 1910; Band IV. of the *Abhandlungen zur Verkehrs- und Seegeschichte*, A. Puschel's *Das Wachstum der Deutschen Städte in der Mittelalterlichen Kolonialzeit*, and a volume on Wismar by Techen, have been published; the prize offered for a history "der Deutschen Seeschifffahrt" has been partially awarded to W. Vogel, who is to complete his work in three years.

Heft XIX. of the *Leipziger Historische Abhandlungen* is *Der Bürgerstand in Strassburg bis zur Mitte des XIII. Jahrhunderts* (Leipzig, Quelle and Meyer, 1910, pp. 55) by Dr. Karl Achtnich.

In the second volume of the *Chroniken der Stadt Bamberg* (Leipzig, Quelle and Meyer, 1910, pp. xcii, 717), edited by Dr. Anton Chroust, the Gesellschaft für Fränkische Geschichte brings out an important body of material on the history of the Peasants' Revolt of 1525, and another on the struggle of Bamberg in 1553 against the Margrave Albert Alcibiades of Brandenburg. In the former section appear a nearly contemporary account of the episode by Councillor Marx Halbritter, another by Martin Müllner, secretary to the bishop, a brief diary of the outbreak, by a citizen, three letters from inmates of the convent of Clares, and two historical poems. For the second episode we are presented with a narrative of the utmost importance, the diary of Burgomaster Hans Zeitlos, and with another by a sister in the convent of the Clares. The editor supplies an admirable introduction and many notes.

No. 13-14 of the *Reformationsgeschichtliche Studien und Texte* is a careful monograph by Dr. P. Wappler on *Die Stellung Kursachsens und des Landgrafen Philipp von Hessen zur Täuferbewegung* (Münster, Aschendorff, 1910, pp. xii, 254), of which the latter half consists of documents hitherto unpublished.

The Society for the History of Lorraine publishes, through Quelle and Meyer of Leipzig, a treatise in monetary history by Dr. Alfred Weyhmann, *Die Merkantilistische Währungspolitik Herzog Leopolds von Lothringen, 1697-1729* (pp. 100), having special reference to the *leopard d'or* and to the career of John Law.

The report of the Kommission für Neuere Geschichte Oesterreichs for 1909 informs us as to the annual assembly in October, 1909, and as to



progress in the work under way. The second volume of Ludwig Bittner's *Chronologische Verzeichnis der Österr. Staatsverträge*, dealing with the period 1763-1847, has been published (Wien, Holzhausen, 1909). The publication of the text of treaties has been or will soon be added to by the second volume of the Treaties with England (to 1791, by Professor Pribram); the first volume of the Treaties with Holland (to 1724, H. von Srbik), and the Treaties with Transylvania. L. Bittner has undertaken the preliminary work for the *Kollektivvorträge* since 1813. W. Bauer will soon publish the general introduction to the *Korrespondenz* of Ferdinand I., V. Bihl is occupied with that of Maximilian II., and H. Kretschmayr will publish soon the second part of the *Geschichte der Oesterreichischen Zentralverwaltung*.

The *Mitteilungen des Instituts für Österreichische Geschichtsforschung* (XXXIII. 3, pp. 506-520) contains a careful review by M. Vancsa of "Die Historische Litteratur Nieder- und Oberösterreichs in den Jahren 1905-1908". It is devoted almost wholly to periodical publications in the German language.

Franz Martin Mayer's *Geschichte Oesterreichs mit besonderer Rücksicht auf das Kulturleben* has been regarded by many from its first appearance in 1875 as the best work of its scope in this field, and the second edition which was issued in 1909 will therefore be very welcome. The book is in two volumes and the narrative is brought to 1908.

Some important contributions to Austro-Hungarian constitutional history have recently appeared in the *Österreichische Rundschau*. In numbers 21, 22, Johann Ankwicz discusses *Die Grundlinien der Inneren Entwicklung Österreichs* since the middle of the eighteenth century, and in number 23 H. Steinacker investigates the character of the union between Austria and Hungary, in opposition especially to the recent contention of Count Apponyi that this union is only an alliance which either can modify or withdraw from at will.

We have a new contribution to the correspondence of Gentz in *Briefe von und an Friedrich von Gentz*, published under the auspices of the Wedekind-Stiftung and edited by Fr. Carl Wittichen, Band I., II. (R. Oldenbourg, 1909, 1910). It is not intended to gather here the whole correspondence but simply to complete the collections already published by four volumes embracing scattered and varied material. The regrettable fact that Fr. Karl Wittichen, who succeeded to the editorship on the death of his brother, Paul Wittichen, has also passed away with the task unfinished may retard the completion of the undertaking, though the material is announced as nearly ready.

An important addition to Metternichian material is the *Lettres du Prince de Metternich à la Comtesse de Lieven, 1818-1819*, edited by J. Hanoteau and published by Plon-Nourrit (Paris, 1909). Taking this in connection with E. Daudet's recent researches as to the Comtesse

(later Princess) de Lieven we have now full information about a personal influence of considerable importance in Metternich's career.

The Deutsche Verlagsanstalt, Stuttgart, has published (1910), Band I. of *Graf Julius Andrassy: Sein Leben und seine Zeit, nach Neuen Quellen*, by Eduard von Wertheimer. This first volume extends to Andrassy's appointment as minister of foreign affairs.

An interesting brief recapitulation is that contained in Dr. August Fournier's *Wie wir zu Bosnien kamen* (Wien, Reisser's Söhne, 1909, pp. 96). The writer contends that Austria in the final occupation of Bosnia and Herzegovina was only proceeding to a step consented to by Europe in and since the treaty of Berlin, and that she did so finally because of apprehension at the progress of Neoslavism.

September 5-6 there occurred in Lausanne at the restored castle of Chillon a joint meeting of three Swiss historical associations—the Société Général de l'Histoire, the Société des Monuments Historiques, and the Société d'Histoire de la Suisse Romande. The first-named association is now in its seventy-first year and has in co-operation with the Association Populaire Catholique de la Suisse undertaken the publication of a new series of the *Acta Pontificum Helvetica*, beginning with 1305.

An important new undertaking is a *Schweizerische Reformationsgeschichte* by Emil Egli, of which Band I., 1519-1525, has been published (Zurich, Zürcher and Furrer, 1910, pp. xvi, 424). It is published under the patronage of the Zwingli Society of Zurich and will embrace a number of volumes. Professor Egli's death necessitated the completion of volume I. by Professor Georg Finsler, and will probably cause considerable delay in the prosecution of the work.

Plon, Paris, has issued (1910) *Napoléon et la Suisse, 1803-1815, d'après les Documents Inédits des Affaires Étrangères*, by Édouard Guillon.

Documentary publications: K. Rümmler, *Die Akten der Gesandtschaften Ludwigs des Baiern an Benedikt XII. und Klemens VI.* [Quellenstudien aus dem Historischen Seminar der Universität] (Innsbruck, Wagner); *Die Chroniken der Deutschen Städte vom 14. bis ins 16. Jahrhundert*, Band XXX. Lübeck (Leipzig, H. Hirzel); *Abhandlungen zur Landeskunde der Provinz Westpreussens*, heft XIV., *Die Denkmalpflege in Westpreussen, 1804-1810* (Danzig, A. W. Kafemann); *Die Böhmisches Landtagsverhandlungen und Landtagsbeschlüsse vom J. 1526 an bis auf die Neuzeit* [K. Böhmisches Landesarchiv], XI., *Die Landtage des J. 1605*, pt. 1. (Prag, 1910); *Mitteilungen der Kgl. Preussischen Archivverwaltung*, heft XVI., *Die Königs- und Kaiserurkunden der Königlichen Preussischen Staatsarchive und des Königl. Hausarchivs bis 1439* (Leipzig, S. Hirzel, 1910, pp. x, 184).

Noteworthy articles in periodicals: F. Keutgen, *Die Entstehung der Deutschen Ministerialität*, concl. (Vierteljahrschrift für Social- und Wirtschaftsgeschichte, VIII. 4); A. Kiesselbach, *Zur Frage der Entstehung der Städtehanse* (Historische Zeitschrift, CV. 3); H. Keussen, *Die Entwicklung der Älteren Kölner Verfassung und ihre Topographische Grundlage* (Westdeutsche Zeitschrift, XXVIII. 4); Kuno Francke, *Die Mystik des Mittelalters in ihrer Bedeutung für die Deutsche Kulturgeschichte* (Internationale Wochenschrift, September 10); A. C. McGiffert, *Martin Luther and his Work*, I. (Century, December); G. Sommerfeldt, *Die Beratungen über eine gegen Russland und die Türkei zu Gewährende Reichshilfe, 1560-1561* (Historische Vierteljahrschrift, XIII. 2); J. Strieder, *Maria Theresia, Kaunitz, und die Oesterreichische Politik von 1748-1755* (Historische Vierteljahrschrift, XIII. 4); F. K. Wittichen, *Zur Geschichte der Öffentlichen Meinung in Preussen vor 1806* (Forschungen zur Brandenburgischen und Preussischen Geschichte, XXIII. 1); A. Fournier, *Friedrich Gentz und der Friede von Schönbrunn: Neue Briefe* (Deutsche Rundschau, August); E. Müsebeck, *Die Einleitung des Verfahrens gegen E. M. Arndt* (Historische Zeitschrift, CV. 3); O. Diether, *Leopold v. Ranke und Johann Gustaf Droysen* (Preussische Jahrbücher, October); G. Goyau, *Bismarck et l'Épiscopat* (Revue des Deux Mondes, October 1); M. Lair, *Mommsen, Homme Politique* (Annales des Sciences Politiques, September 15); R. F. Kaindl, *Studien zur Geschichte des Deutschen Rechtes in Ungarn und dessen Nebeländern* (Archiv für Oesterreichischen Geschichte, XCVIII. 2).

#### NETHERLANDS AND BELGIUM

Martinus Nijhoff of the Hague announces the preparation of a new Dutch biographical dictionary, *Nieuw Nederlandsch Biografisch Woordenboek*, in twelve volumes, edited by Professor P. J. Blok and Dr. P. C. Molhuysen. Each volume will have a separate alphabetical arrangement and will be published when sufficient material for one volume is ready. The first volume will appear shortly, the last in ten or twelve years.

Mr. Nijhoff also announces the publication of *De Teruggave der Oost-Indische Koloniën, 1814-1816*, from original materials, by P. H. van der Kemp (1910, pp. vi, 545).

The Belgian archive administration has begun the publication of a special series of inventories devoted to the minor archives of the kingdom, such as belong to religious establishments, small towns, and the like, by the issue of the first volume of *Inventaires Sommaires des Petites Archives du Hainaut* (Mons, Duquesne, 1910, pp. 88), a volume abounding especially in notices of archives of abbeys.

Noteworthy articles in periodicals: J. Johnen, *Philipp von Elsass, Graf von Flandern, 1157-1191* (Bulletin de la Commission Royale d'Histoire, LXXIX. 3); *Philip van Artevelde* (Edinburgh Review, October).

## NORTHERN AND EASTERN EUROPE

The Norwegian government has lately issued the first part of the English volume of the *Diplomatarium Norvegicum*, edited by Professor Alexander Bugge, and containing texts of English characters and records relating to the medieval intercourse between England and Norway.

A new journal which will be especially welcomed by historical students who do not read the Slavonic languages is the *Zeitschrift für Osteuropäische Geschichte*. It will be published quarterly by Georg Reimer of Berlin, under the editorship of Professors Theodor Schieffmann of Berlin, Otto Höttsch of Posen, Leopold Karl Goetz of Bonn, and Hans Uebersberger of Vienna. Articles in German and French will be admitted. Much effort will be made to provide Western readers, by means of translations, with knowledge of recent historical progress in the Slavonic countries.

H. Steinacker has published in *Urania* for 1909 various papers that constitute an important contribution to the history of the Eastern Question, treated as only the latest form of "das Problem des Verhältnisses zwischen Asien und Europa".

The *Revue Historique* for October contains a review by L. Brehier of the publications of the years 1907-1910 in the field of Byzantine history.

The *Byzantinische Zeitschrift*, XIX. 1-2, contains an address of Timur edited with notes by M. Tren. It has reference apparently to the campaign of 1391 and is found in a manuscript of the second half of the sixteenth century.

The publishing house of Charles Lavanzelle, Paris, has undertaken the publication of a translation by E. Cazalas of the Russian General Staff's History of the War of 1812. In this work six volumes are occupied with the preliminaries of 1810-1811. It may be remarked that the approach of the centenary is already stimulating publication on the war in Russia, the Imperial Historical Society having begun the publication of documents with a volume on the *Acts* of the provisional provincial governments during the French occupation (*Sbornik*, vol. CXXVIII., 1909).

Tomes V. and VI. of the fifth series of the *Publications de l'École des Langues Orientales Vivantes* is a posthumous work by Émile Legrand, *Bibliographie Ionienne: Description Raisonnée des Ouvrages publiés par les Grecs des Sept Îles ou concernant ces Îles du XV<sup>e</sup> Siècle à l'Année 1900*, completed by H. Pernot (Paris, E. Leroux, 1910).

## THE FAR EAST AND INDIA

M. Eugène Caillot's *Les Polynésiens Orientaux au Contact de la Civilisation* (Paris, E. Leroux, 1909, pp. 291, and 92 plates) consists



of two parts. The first, based on the author's observations during a long voyage in 1900, describes the manners, customs, religions, and political organization of the eastern Polynesians at that time. The second part consists of the "Book of the Commandant Supérieur aux Iles-sous-le-Vent", which the author found in the archives of Uturoa, and which is virtually an official chronicle of the insurrection in Raiatea-Tahaa, Society Islands, against the French rule, 1894-1897.

The Asiatic Society of Japan has undertaken the publication of volumes I. and III. of *A History of Japan* by Professor J. Murdoch, formerly of Aberdeen University. Volume II. (1543-1651) was published in 1903 and volume I. has just been issued (London, Kegan Paul, pp. 667). Constable and Company, London, have just published for the London School of Economics and Political Science *The Political Development of Japan, 1867-1909*, by George Etsujiro Uyehara, a doctoral thesis at the University of London.

Messrs. Lippincott have brought out a *Life of the Late Empress Dowager of China* by Mr. J. O. P. Bland, who was for several years a member of the Chinese government service. The volume has been compiled from state papers and the private diary of the comptroller of the empress's household, and incorporates the diary of His Excellency Ching Shan.

John Murray, London, announces for immediate publication a new book on Indian affairs by Sir Francis Younghusband, *India and Thibet: a History of the Relations which have subsisted between the Two Countries from the Time of Warren Hastings to 1910; with a Particular Account of the Mission to Lhasa in 1904*. Sir Francis was the leader of this mission.

The Cambridge University Press has published *The Persian Revolution of 1905-1909*, by Edward G. Browne, of Pembroke College, Cambridge, professor of Arabic.

Noteworthy articles in periodicals: A. Girard, *Les Routes de Commerce vers l'Extrême-Orient à la Fin du XVII<sup>e</sup> et au Commencement du XVIII<sup>e</sup> Siècle* (Revue d'Histoire Moderne et Contemporaine, September-October); C. O. Paullin, *The Opening of Korea by Commodore Shufeldt* (Political Science Quarterly, September).

## AMERICA

### GENERAL ITEMS

The Carnegie Institution of Washington will soon be able to issue two volumes prepared by the Department of Historical Research, Professor Fish's Roman and Italian Guide and Professor Allison's Inventory of Unpublished Materials for American Religious History. A "Calendar of Papers in Washington Archives relating to the Territories of the United States", to 1873, prepared by Mr. David W. Parker, and amount-

ing probably to four hundred pages of print, has been sent to the printer. Mr. Parker is now at Ottawa, engaged in the preparation of a "Guide to the Materials for United States History in Canadian Archives". The manuscript of Professor Bolton's Guide to such material in the Mexican archives, national and local, has been received. In January Mr. Roscoe R. Hill of Columbia University will go to Spain under the auspices of the Department for a prolonged period of work, in which the chief task will be the preparation of a calendar of the papers relating to United States history in that section of the Archives of the Indies at Seville known as "Papeles procedentes de la Isla de Cuba".

Among the recent accessions of the Manuscripts Division of the Library of Congress are: the Madison papers possessed by the Chicago Historical Society and its Polk collection, including President Polk's diary; La Harpe's Journal concerning the establishment of the French in Louisiana, being a copy made in 1764 by the Chevalier de Beaurain, with maps; twenty-three volumes and fifty-nine packages of the Pickett papers, being the official correspondence and records of the Confederate government, 1861-1865, transferred by the Secretary of the Treasury; a body of papers of William Plumer—writings, essays, letters, and notes, 1782-1838; and "A collection of Christian and brotherly advices . . . by the yearly meetings [Friends] . . . for Pennsylvania and New Jersey", of the seventeenth and eighteenth centuries. A large number of documents have also been transferred to the library from the files of the House of Representatives. The library's calendars of the Van Buren papers and of the military correspondence of Washington are in the press.

*American and English Genealogies in the Library of Congress, Preliminary Catalogue* (Washington, 1910, pp. 805) has just been issued by the library. Some 3750 volumes are listed. Only genealogies published in separate form have, as a rule, been included.

The *Cyclopedia of American Government*, edited by Professors A. C. McLaughlin and A. B. Hart and published by Messrs. D. Appleton and Company, will consist of three large volumes, each of about eight hundred pages, and will include about 3000 articles, arranged in alphabetical order, some brief, some of the nature of treatises. Each important article will be accompanied with a select list of books as references. It is expected that the work will be published about January, 1912.

It is scarcely possible that such a work as Bryce's *American Commonwealth* could become in any considerable degree antiquated, yet so many changes have taken place in the United States since the revision of 1893-1895 was brought out that many facts and figures needed to be brought up to date, and certain new phenomena and phases of development called for treatment. Mr. Bryce has accordingly subjected the entire work to a thorough revision, largely by means of supplementary notes but in considerable measure by revision of the body of the text. In making

these changes the latest obtainable figures, occasionally even those of the census of 1910, have been used. Four new chapters have been added. One of these deals with the latest phase of immigration, another with the new transmarine dominions, a third discusses the more recent phases of the negro problem, and a fourth contains further observations on American universities. These new chapters are characterized by the same keenness of observation and clearness of analysis and exposition that have given to the work its high value in the literature of American political and social life. It should be added that Mr. Seth Low has also rewritten the chapter on municipal government which he contributed to the first edition.

*Democracy and the Party System in the United States*, by Mr. M. Ostrogorski, is an abridged version of the second or American volume of his *Democracy and the Organization of Political Parties*, published in 1902. The present work is the result of a thorough revision and of an additional visit to the United States, and contains much new material, especially in the later chapters.

*History Made Visible, a Synchronic Chart and Statistical Tables of United States History*, by Mr. George E. Groscup (New York, Windsor Publishing Company, 1910), appears to be one of the best of its kind, so far as can be declared before class-room testing, and is accompanied by some ninety pages of chronological text and lists, skilfully devised, and carefully prepared by Mr. Ernest D. Lewis, instructor in history in the High School of Commerce, New York City.

Dr. Henry Barrett Learned will send to the press in March a volume entitled *The President's Cabinet*, tracing the development of that institution from its origin to the present time.

Among the forty volumes which the Immigration Commission expects to issue as it now brings its work to a close, one is entitled "A History of Earlier European Immigration to the United States"; another, "Immigration History and Legislation"; another, "Statistical History of Immigration, 1820-1910, and Distribution of Immigrants, 1850-1910"; while another will be "A Dictionary of Races or Peoples".

The Library of Congress has issued a second and enlarged edition of its *List of References on Reciprocity* (pp. 137), embodying not only the previous list bearing that title but other related lists, with the inclusion of later literature. As now issued the list comprises reciprocity in the United States (comprehensive), reciprocity with Canada and Newfoundland, reciprocity with Hawaii, reciprocity under the McKinley Act, reciprocity with Cuba, and reciprocity with Great Britain and other countries.

Mr. Theodore L. Cole of Washington has recently made photographic facsimile reprints of the *Acts of Assembly of the Province of North Carolina, Begun and held at Newbern the second day of March*

1774 (Newbern, 1774, pp. 567-612), believed to be the last legislative session of that province whose proceedings are on record, and of the *Journal of the Convention of Alabama Territory, begun July 5, 1819* (Huntsville, 1819, pp. 40), of which only three copies are known to exist. These reprints have been issued in very small editions, thirty-one copies of the former and fifty-seven of the latter.

The articles in the October number of the *History Teacher's Magazine* are of more than usual interest to teachers of history. The leading article in the issue is "New Ideas of History", by Dr. G. G. Benjamin. The December number of the *Magazine* reprints from the *Alumni Register* of November, 1907, Professor E. P. Cheyney's address, "What is History?", delivered before the graduate school of the University of Pennsylvania in October, 1907.

Mr. Victor H. Paltsits's paper, "Tragedies in New York's Public Records", appears in part (with some additions) in the July issue of the *Magazine of History*. In the issue of that periodical for September are: "The Upper Mississippi a Century Ago", by L. A. Chase; "The Birthplace of the State of New York", by Isaac N. Mills; and "An American Loyalist: Moody of New Jersey" (first paper), by M. G. Sausser.

In *The Doctrine of Non-Suability of the State in the United States* (Johns Hopkins University Studies), Dr. Karl Singewald has presented a careful study of the questions of public law involved in the doctrine of the state's immunity from suit. The opening chapters trace the doctrine as found in English law and as resting upon the federal Constitution, but the study is in the main devoted to the relation of the doctrine to suits against public officers.

*The Sovereignty of the States*, by Mr. Walter Neale (New York and Washington, Neale Publishing Company, 1910, pp. 143), is an oration delivered on the battle-ground of Manassas, July 21, 1910, to the survivors of the Eighth Virginia Regiment. It ranges over the whole course of United States history from the point of view of one upholding states'-rights views in an extreme form.

The Macmillan Company have lately brought out a new and greatly revised edition of the *Industrial History of the United States* by Miss Katharine Coman, professor in Wellesley College, a book first published in 1905.

The Macmillan Company have published *The Great White North: the Story of Polar Exploration from the Earliest Times to the Discovery of the Pole*, by Mrs. Helen Smith Wright.

The New York State Education Department has issued an illustrated historical account of *The American Flag*, edited by H. H. Homer.

Mrs. Alice Morse Earle's interesting work, *Two Centuries of Costume in America*, has been brought out by Macmillan in a one-volume edition which includes all the illustrations of the two-volume edition.



Houghton Mifflin Company published in November *Education in the United States*, by President Charles F. Thwing. The volume treats primarily the development of education during the last forty-five years.

Frederic J. Stimson's new work, *Popular Law-Making: a Study of the History and the Tendencies of English and American Legislation*, has been published by Scribner.

Sir Harry H. Johnston's *The Negro in the New World* has been brought out by Macmillan, and will be reviewed in an early number of this journal.

The Bureau of American Ethnology expects to issue in January the second volume of its *Handbook of American Indians*, containing the articles from N to Z.

The principal paper in the *Records of the American Catholic Historical Society* for March is upon the early history (latter eighteenth century) of the Church of the Holy Trinity, Philadelphia, by Martin I. J. Griffin. The number for June presents a preliminary account (continued in the September number) of the baptismal registers of that church, and a body of interesting notes from the archiepiscopal archives of Baltimore. Among the contents of the September number are a "History of the Church of St. John the Evangelist, Philadelphia, from 1845 to 1853", by Martin I. J. Griffin, an English translation of a letter of Father Gibault to George Rogers Clark, May 10, 1780, and a variety of other documentary materials.

The American Jewish Historical Society will hold its nineteenth annual meeting in Philadelphia on February 12 and 13.

A paper on the history of the Mormons was read by Professor Eduard Meyer at the session of the philosophical-historical class of the Prussian Academy on July 7, and may be found in the *Sitzungsberichte* for that date.

#### ITEMS ARRANGED IN CHRONOLOGICAL ORDER

It is expected that Mr. Henry Vignaud's *Nouvelles Études sur Colomb* will appear in two large volumes this winter.

A committee headed by the Mayor of Southampton is engaged in an effort to commemorate the three-hundredth anniversary of the sailing of the *Mayflower* from that place by the erection of an elaborate monument, for which American as well as English gifts are solicited. The honorary secretary of the committee is Professor F. J. C. Hearnshaw. American donations may at present be sent to Mr. H. A. Cushing, secretary of the New England Society, 43 Cedar Street, New York. The balance still required is two thousand pounds.

In a pamphlet entitled *New Facts concerning John Robinson, Pastor of the Pilgrim Fathers* (Oxford, University Press, 1910, pp. 35), Mr. Champlin Burrage has brought together some interesting facts concern-

ing a manuscript discovered by him in the Bodleian Library entitled "An answer to Robinson the Brownists arguments", and some inferences from the document, which among other facts shows that Robinson was for some time an assistant in the ministry of St. Andrew's Church in Norwich.

Mr. James Haddon, of Uniontown, Pennsylvania, whose book, *Washington's Expeditions and Braddock's Expedition*, was mentioned in these pages of the October REVIEW, comes forth with a book entitled: *The French and Indian War, or the Conflict between Two Great Nations for Supremacy in the Mississippi Valley*.

Messrs. Charles Henry Hart and Edward Biddle of Philadelphia will publish shortly *Memoirs of the Life and Works of Jean Antoine Houdon*. The work will contain thirty photogravure illustrations and be printed by the De Vinne Press in an edition of 350 copies.

In his monograph *American Commercial Legislation before 1789* (pp. 167) Dr. A. A. Giesecke has done a useful piece of work in bringing together the scattered material on the subject. The book has been brought out by the University of Pennsylvania.

It is understood that Mr. J. M. Lear of the State Normal School, Farmville, Virginia, is writing a biography of Charles Fenton Mercer (1778-1858).

A book that should possess large interest and value is the work of Professor P. J. Treat, entitled *The National Land System, 1785-1820, and the Westward Movement*, recently published by E. B. Treat and Company.

Volume IX. (December, 1813, to May, 1814) of *The Documentary History of the Campaigns upon the Niagara Frontier in 1812-1814*, collected and edited for the Lundy's Lane Historical Society by Lieutenant-Colonel E. Cruikshank, F.R.S.C. (Welland, Tribune Office, pp. 351, xxviii), although bearing the imprint date, 1908, has only recently been received. The documents include general orders, official reports, letters, extracts from newspapers, etc., and describe the various phases of the campaigns from the view-points of both sides. The materials are gathered from many printed sources and not a few manuscript collections have been drawn upon. Such a compilation is invaluable for studying the campaigns to which it relates.

*The Clipper Ship Era, 1843-1869*, an account of the noted clippers of the United States and Great Britain and of their owners, builders, commanders, and crews, by Arthur H. Clark, has been brought out by G. P. Putnam's Sons.

Robert Hall McCormick and James Hall Shields have prepared and published in attractive form *The Life and Works of Robert McCormick, including his Invention of the Reaper*. The chief design of the authors

labors is to support the claims in behalf of Robert McCormick for his invention of the reaper, and considerable space is devoted to the documentary evidence in the case.

Houghton Mifflin Company have brought out an edition of speeches and letters of Richard H. Dana, jr., edited with an introductory sketch and notes by Richard H. Dana, 3rd. The book bears the title *Speeches in Stirring Times and Letters to a Son*. Among the speeches that are of interest to historical students are those on the Monroe Doctrine, the fugitive slave law, and the Free Soil movement.

New volumes in Messrs. Jacobs's series of *American Crisis Biographies* are: *William H. Seward*, by Edward Everett Hale, jr., *Stephen A. Douglas*, by Henry Parker Willis, and *William Lloyd Garrison*, by Lindsay Swift.

A fifth edition, revised and enlarged, of Edwin Rossiter Johnson's *History of the War of Secession, 1861-1865*, has been brought out by Wessells and Bissell Company.

The Review of Reviews Company is issuing, in a series of ten volumes entitled *Photographic History of the Civil War*, a reproduction of a series of 3500 photographs of war-time scenes and events taken by the famous photographer Mathew B. Brady.

Rev. Dr. Randolph H. McKim of Washington, who served as a private under Stonewall Jackson, as a staff officer under General Robert E. Lee, and as a cavalry captain under General Fitz-Hugh Lee, has published through Messrs. Longmans, Green, and Company *A Soldier's Recollections: Leaves from the Diary of a Young Confederate*.

*Recollections of Alexander H. Stephens*, by Myrta Lockett Avery, has been published by Doubleday, Page, and Company. Included in the volume is the diary kept by Stephens during his imprisonment at Fort Warren. The diary contains recollections of Stephens's early life and political career and also estimates of men and measures.

The State Company of Columbia, South Carolina, have brought out the *Memoirs of the War of Secession* prepared by the late General Johnson Hagood. The memoirs, which relate for the most part to the services of General Hagood personally and to those of his immediate associates, were written in 1871, and have been edited by U. R. Brooks. The editor's services appear to have consisted in making a list of errata, several pages in extent, after the book had come from the printers.

The *Diary of an Enlisted Man*, by Lawrence Van Alstyne (New Haven, The Tuttle, Morehouse, and Taylor Company, pp. 348), is the record of experiences kept by a private in a New York company from August, 1862, to June, 1864, whose services were principally in Louisiana.

*The Battle of the Wilderness*, by Morris Schaff, which appeared in installments in the *Atlantic Monthly*, has now been published by Houghton Mifflin Company in book form.

*The Origin of the National Banking System*, by Andrew McFarland Davis, which has been issued by the National Monetary Commission (61 Cong., 2 sess., *Sen. Doc. No. 582*), is a study of the inception and growth of the idea and of the development of the measure into its final form through several years of agitation in Congress. The distinctive value of the monograph is the light thrown upon the history of the measure by the correspondence of Secretary Chase, which Mr. Davis has thoroughly examined. The attitude of the public is also brought out through newspaper comment, speeches in Congress, and other means. The full text of the act upon which the national banking system rests is given in an appendix, as is also that of the Hooper Bill, an earlier form of the measure, which failed of passage.

Mr. Alexander D. Noyes has prepared for the National Monetary Commission a brief *History of the National-Bank Currency* (61 Cong., 2 sess., *Sen. Doc. No. 572*, pp. 20).

*The Knights of St. Crispin, 1867-1874: a Study in the Industrial Causes of Trade Unionism*, by Don D. Leschoier (Bulletin of the University of Wisconsin, no. 355, pp. 101), forms an interesting chapter in the history of industry as well as of industrial organization in the United States. The Knights of St. Crispin were a national organization of shoemakers, and it is the conclusion of the author that they were "the first great protest of America's workingmen against the abuse of machinery".

Colonel William H. Crook's reminiscences of life in the White House from the days of Lincoln to that of Garfield have been brought out by Harper and Brothers under the title *Through Five Administrations*.

*The Trade Union Label*, by Dr. Ernest R. Spedden, is a recent number of the Johns Hopkins University Studies. The author has traced carefully the history of the label from its first use by the Cigar Makers' Association of the Pacific Coast in 1875. The treatment covers also the form of the label, its administration, financing, and other aspects of its use.

Mr. Theodore Stanton and Mrs. Stanton Blatch are engaged in the preparation of *The Letters of Elizabeth Cady Stanton: an Epistolary Biography*, which will be published by Putnam.

The Government Printing Office has completed the first volume of the new set of *Executive Journals of the Senate*. This set is to extend the printing of these journals over the period from 1891 to 1905 (52d-58th Congresses) and will fill at least seven volumes, numbered XXVIII. to XXXIV. The edition is of only 250 copies. The volume now finished, volume XXVIII., covers both sessions of the 52d Congress and the special session of the 53rd. The indexes, five for each session, making fifteen separate alphabets in all, fill forty per cent. of the volume.



Doubleday, Page, and Company, have issued the *Presidential Addresses and State Papers* of President Taft, March 4, 1909, to March 5, 1910.

#### LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

Mr. J. M. Dent has published in *Everyman's Library* a volume entitled *The Pilgrim Fathers* (pp. xvii, 364), with a quite unsatisfactory introduction by Mr. John Masefield. It reprints (text and notes) the Congregational Board of Publication's edition of Morton's *New England's Memorial* (1855), Captain John Smith's *New England's Trials*, and Alexander Young's edition (1844) of Cushman's *Discourse*, of Winslow's *Good News from New England*, and of his brief narration appended to *Hypocrisie Unmasked*. Thus it makes good out-of-print matter accessible, with notes mostly good but sometimes antiquated.

Mr. H. M. Sylvester's *Indian Wars of New England*, in three sumptuous volumes, has just been issued by the W. B. Clarke Company. The author supplements his narrative with liberal extracts from the sources.

The Maine Historical Society has received as a gift from Mrs. Ellen S. Roach about one hundred letters written during the War of 1812 to General William King, and from Philip F. Turner, esq., a large collection of papers relating to the history of Cape Elizabeth.

Volume XV. of the *Documentary History of the State of Maine*, published by the Maine Historical Society (Portland, Lefavor-Tower Company, 1910, pp. xviii, 478) and edited by Mr. James Phinney Baxter, consists of documents relating to Maine in the Revolution—1777 and the first four months of 1778. Their source or the present location of the originals is nowhere indicated. Apparently they come from the Council records of Massachusetts. The military events recorded are of slight importance—British descents on Machias, Wiscasset, and the like—but the life of the period, so far as the war affected it, is portrayed in detail.

Volume XXX. of the *New Hampshire State Papers* is preceded by an introduction giving an account of the Revolutionary archives of New Hampshire, written by the editor, Dr. Albert S. Batchellor.

The Prince Society has issued the first volume of *Colonial Currency Reprints* edited by Mr. Andrew McFarland Davis. The series will embrace all the known tracts on currency which appeared in Massachusetts from 1682 to 1751, fifty-eight in number. Sixteen of these, running to 1721, are printed in the present volume, with elaborate notes by an editor whose erudition in this field is well known.

The *Proceedings of the American Antiquarian Society* for April, 1910 (new series, vol. XX., pt. 2), contain a body of letters illustrating life at Harvard College a century ago, from the papers of Stephen Salisbury

of the class of 1817; an article by Mr. F. W. Hodge on the Jumano Indians and the identification of them with a branch of the Wichitas; and a careful account, with lists, of the libraries of the Mathers, by Mr. Julius H. Tuttle.

The new building of the American Antiquarian Society is now completed and occupied. Its volumes of Royal Proclamations respecting America, which the librarian, Mr. Clarence S. Brigham, has been editing, are ready for issue. The New England Historic Genealogical Society has deposited its large collection of maps in this new building at Worcester.

The National Society of the Colonial Dames of America intends to publish two volumes of the Correspondence of Governor William Shirley of Massachusetts, in similar form to that of Miss Kimball's *Correspondence of William Pitt*. The editor of the volumes, Dr. Charles H. Lincoln of 22 Dean street, Worcester, Massachusetts, would be glad to be informed of letters written by or to Shirley, that might otherwise escape his knowledge.

The *Proceedings* of the Massachusetts Historical Society for October, 1909, to June, 1910 (volume XLIII.), appears just as this journal goes to press. The *Proceedings* for October, 1910, consist mainly of a paper by Mr. Charles Francis Adams on the American campaign of 1777.

The *Massachusetts Magazine* proposes to publish a number of articles on the great historical libraries of Massachusetts and inaugurates the series with an account of the library of the Massachusetts Historical Society, by A. W. Dennis. The article includes a list of some of the more notable unpublished groups of papers in the society's collections.

Any clue to unpublished material by or relating to Harrison Gray Otis (1765-1848) will be gratefully received by Mr. S. E. Morison, 8 Otis Place, Boston, who is preparing a biography on that subject.

An interesting volume on *Boston Common* richly illustrated has been privately printed at the Merrymount Press by Mr. M. A. DeWolfe Howe.

*A Historical Sketch of the First Congregational Church, Sturbridge, Massachusetts*, by Professor George H. Haynes (Worcester, 1910), a pamphlet of sixty-eight pages, is distinguished from the run of such discourses by the superior intelligence with which the history of the church is studied and by the manner in which the preservation of certain unusual records makes possible the illustration of the social and mental life of the church.

The Rhode Island Historical Society has come into possession of the papers of John Howland (1757-1854) who was for many years president of the society and was especially interested in the history of the Plymouth Colony.

The first number (January, 1911) of *The New Netherland Register*, edited and published by Dingman Versteeg of 99 Nassau street, New York, has appeared. This number contains sixteen pages, occupied principally with sketches of some New Netherland pioneers. The *Register* is to be published monthly.

The *Rough List of Manuscripts in the Library of the Buffalo Historical Society*, which was printed in volume XIV. of the society's *Publications*, has been issued as a separate.

The September number of *Old<sup>e</sup> Ulster* contains an article on Slavery in Ulster County.

The Free Public Library of Jersey City has issued an historical souvenir of the 250th anniversary of the founding of Bergen, observed during the week of October 16 to 23, 1910. The souvenir bears the title *Bergen and Jersey City* (pp. 36), is illustrated, and contains an outline of the history of the two cities, and a chapter on manners and customs of the time prior to the Revolution.

The pages of the July number of the *Pennsylvania Magazine of History and Biography* are occupied principally with the record of the formal opening (April 6 and 7) of the society's new building. Of chief interest among the addresses delivered on the occasion may be mentioned that of Hon. S. W. Pennypacker, who recounted the history of the society, and that of Mr. Charles Francis Adams, who spoke in favor of "a wiser discrimination and a more scientific differentiation" on the part of historical societies in the preservation of historical materials.

The *Acts and Proceedings* of the fifth annual meeting (January 6, 1910) of the Pennsylvania Federation of Historical Societies contains a useful conspectus of the work done by the several historical societies of the state during the preceding year.

Hon. Samuel W. Pennypacker has brought out through William J. Campbell of Philadelphia a collection of his special studies in Pennsylvania history bearing the title: *Pennsylvania in American History*. The principal of these studies deal with subjects of the Revolution and the Civil War.

Under the caption "Causes of Migration to America" the *Pennsylvania German* prints in its September issue a collection of extracts from various writers bearing especially upon the earlier German migrations. In Mr. C. H. Williston's series, "Indian Chiefs of Pennsylvania", the paper in the September number is on Tadeuskund, that in the October number on Tammany.

G. P. Putnam's Sons have published *The Wilderness Trail*, in two volumes, by Charles A. Hanna. On the title page appears also the following: "The Ventures and Adventures of the Pennsylvania Traders on the Alleghany Path, with some New Annals of the Old West, and the Records of some Strong Men and some Scoundrels". It is understood

that the author has made use of considerable material hitherto unpublished and has thrown new light on some phases of Indian activities connected with the French and Indian War.

Much of the contents of the September number of the *Maryland Historical Magazine* relate to the Revolutionary War. There is a series of letters from Lieutenant-Colonel Samuel Smith to General Washington (September to November, 1777) describing the defense of Fort Mifflin; an extract from the journal of Baron de Cloisen (from the Rochambeau Papers in the Library of Congress) relating to the movement of French troops in Maryland in the summer of 1782; some documents found among the British archives which relate to the burning of the *Peggy Stewart*, and finally there is a group of letters (1777-1779) to the governor of Maryland from executives of other states.

Among the numerous documents which are printed in the October number of the *Virginia Magazine of History and Biography* the following may be mentioned as possessing special interest: a letter of Ralph Wormely, jr., April 4, 1776, to John Grymes, who was serving under Lord Dunmore—a letter which aroused suspicion as to his attachment to the American cause; documents in the case of Matthew Phripp, charged with disloyalty (1775); a proclamation of Richard Henderson and company calling a convention at Harrodsburg in 1775; a contract between the proprietors and the people of Transylvania (1775); an ordinance for a general test proposed in the Virginia convention in August, 1775; and a number of items (minutes of the Council for Foreign Plantations, orders of the king and council, etc.) pertaining to the government of Virginia, 1662-1665. The principal items of the Randolph manuscript relate to Lord Culpepper's administration (1682-1683).

The *William and Mary College Quarterly Historical Magazine* for October contains an article on "The Use and Abuse of Forests by the Virginia Indians" by Hu Maxwell. The writer has drawn his materials from many sources.

Professor James Mercer Garnett of Baltimore has printed in a pamphlet of sixty-two pages a *Biographical Sketch of Hon. James Mercer Garnett of Elmwood, Essex County, Virginia*, with a genealogy of the Mercer-Garnett and Mercer families.

The Historical Commission of the State of North Carolina has decided to print the German version of Christoph von Graffenried's account of his American adventures, to be edited by Professor Julius Goebel of the University of Illinois. This version is more interesting and valuable than the French version hitherto known. The differences between the two will be noted, and the drawings, maps, etc., will be reproduced from the original manuscript.

The addresses delivered at the unveiling of the bust of William A. Graham in Raleigh on January 12, 1910, have been brought out by the



North Carolina Historical Commission as bulletin no. 7 of the commission's *Publications*. The principal address was by Mr. Frank Nash, upon the life and services of William A. Graham. As bulletin no. 8 the commission has issued a documentary history of *Canova's Statue of Washington* (pp. 96), with an introduction by Mr. R. D. W. Connor. The statue was ordered by the state of North Carolina in 1815, set up in 1821, but destroyed by the burning of the state house in 1831. The presentation to the state by the Italian government of a plaster replica of the original model furnishes the occasion of this history.

The Trinity College Historical Society, of Durham, North Carolina, has inaugurated a series called *The John Lawson Monographs*, distinct from the society's *Annual Publication of Historical Papers*. The first of these monographs to be issued is *The Autobiography of Brantley York* (pp. xv, 139), for which Mr. E. C. Brooks writes an introduction. Brantley York was an itinerant teacher and preacher whose life stretched well across the nineteenth century (1805-1891) and whose labors extended throughout the state of North Carolina and beyond, and the story of his life, told in simple fashion by himself, throws a good deal of light on social and religious conditions in the state.

The South Carolina Historical Commission has published a volume of *Warrants of Lands in South Carolina, 1672-1679* (Columbia, 1910, pp. 222), edited by Mr. A. S. Salley, Jr., secretary of the commission.

Beginning in January of the present year Dr. Thomas M. Owen, director of the Department of Archives and History of the state of Alabama, will issue a quarterly periodical devoted to Alabama history and called the *Alabama History Journal*. Articles, original documents, reviews of books, and news will be included in the journal's contents.

The library of Yale University has recently come into possession of the manuscript journal of an expedition into the Southwest by Henry L. Ellsworth. It is dated from Fort Gibson, November 17, 1832, covers 116 foolscap pages, and has much material respecting the manners and customs of the Indian tribes.

Mr. E. S. Miller contributes to the July issue of the *Quarterly of the Texas State Historical Association* a paper on "The State Finances of Texas during the Civil War", and to the October issue a similar paper dealing with the period of Reconstruction. Of especial interest are two documentary publications. In the July number are printed "The Reminiscences of Henry Smith", written as a letter to M. B. Lamar (November 18, 1836), when Smith was secretary of the treasury of the Republic of Texas. The document is among the Lamar papers in the Texas State Library. The other document, printed in the October number, is a part of a memorial presented by Major John Tyler, in October, 1863, to the governor and authorities of Texas, appealing to them to take the initiative in demanding protection of France on the basis of the guarantees in

the Louisiana Purchase Treaty. Mr. C. W. Ramsdell writes an introduction to the memorial, discussing its possible origins.

*The Territorial Governors of the Old Northwest*, by Dwight G. McCarty, a recent issue of the Torch Press, includes accounts of some of the early governors of the territories of Indiana, Illinois, Michigan, and Wisconsin.

The *Ohio Archaeological and Historical Quarterly* for October prints some letters of political interest (1866-1867) from R. P. L. Baber to Senator James R. Doolittle, with a biographical sketch of Baber, by Duane Mowry, and an account of "Bowman's Expedition against Chilli-cothe, May-June, 1779", from the Draper manuscripts. There is also a paper on "La Salle's Route down the Ohio", by E. L. Taylor, and an address, "Significance of Perry's Victory", by I. J. Cox.

The papers of Governor Allen Trimble and of his granddaughter Mrs. Thompson, brought together and arranged by Mrs. Mary McArthur Tuttle of Hillsborough, Ohio, have been transferred to the custody of the Western Reserve Historical Society at Cleveland.

A brief paper concerning the public documents of Indiana, by John A. Lapp, legislative reference librarian of the state library, appears in the September issue of the *Indiana Quarterly Magazine of History*.

Professor C. M. Alvord contributes to the October number of the *Journal of the Illinois State Historical Society* a number of letters written by Edward Cole, Indian commissioner in the Illinois Country, 1766-1769. The letters are to Sir William Johnson and to George Croghan, and are drawn from the Sir William Johnson manuscripts in the New York State Library. Another item of some interest is an autobiographical letter of Edward Coles, governor of Illinois from 1823 to 1826, written to W. C. Flagg in 1861.

The *Register of the Kentucky State Historical Society* for September publishes an interesting letter concerning Kentucky written by Otto, the French chargé d'affaires, to Count Vergennes, dated March 11, 1786. The letter is printed in an English translation made for the *Register* by Mr. Waldo G. Leland. The omission of French accents is perhaps pardonable if the printing office does not possess French type, but the title-page prefixed to the letter contains several other errors that are not so easily excused. To the same number of the *Register* Miss Martha Stephenson contributes a first paper upon "Education in Harrodsburg and Neighborhood since 1775", and Mrs. Elizabeth Snow Sturges some "Recollections of Louis Kossuth in Washington".

*Kentucky: Mother of Governors*, by John Wilson Townsend (Frankfort, The Kentucky State Historical Society, pp. 50), gives brief sketches of those Kentuckians, native, adopted, "sojourner", and a few others, who have been governors of any of the states or territories. Missouri

heads the list with ten natives to her credit (to leave uncounted the adopted and the sojourners) and Illinois comes next with seven.

*The Prehistoric Men of Kentucky*, by Bennett H. Young (Louisville, Morton), is the latest of the Filson Club Publications.

The Burton Library of Detroit, Michigan, has come into possession of the papers of Alpheus S. Felch, commissioner of banking in Michigan in the days of the "wild cat" banks, governor of the state, 1846-1847, and United States senator, 1847-1853.

The State Historical Society of Wisconsin has acquired the valuable manuscript collections of the late George H. Paul of Milwaukee. It has also come into possession of the site of the old Black Hawk War fort at Blue Mound.

Volume XIX. of the *Collections of the State Historical Society of Wisconsin* (pp. xxii, 528), edited by Dr. Reuben Gold Thwaites, comprises the following groups of documents: Mackinac Register of Baptisms and Interments, 1695-1821; A Wisconsin Fur-Trader's Journal, 1804-1805; The Fur-Trade on the Upper Lakes, 1778-1815; and The Fur-Trade in Wisconsin, 1815-1817. The fur-trader's journal kept by François Victor Malhiot, a clerk in the service of the North-West Fur Company at Lac du Flambeau, gives an insight into the rude life of the region and also into the methods employed in the fur-trade. This and the Mackinac register occupy about half the volume. The documents which occupy the remainder of the volume consist for the most part of official, business, and friendly letters which relate primarily to the fur-trade or throw light upon it. After 1815 the United States government, through its relation to the Indians, plays an important part in the business. The letters which are not in the possession of the society are drawn mainly from the federal archives and from the library of Mr. C. M. Burton of Detroit. Dr. Thwaites has edited the material with his usual thoroughness.

The principal article in the October number of the *Iowa Journal of History and Politics* is a history of "The County Judge System of Iowa with Special Reference to its Workings in Pottawattamie County", by N. A. Crawford, jr. The system as it existed in Iowa from 1851 to 1861 was anomalous among American institutions. A brief paper on "The Scope of Iowa History" is contributed by Louis Pelzer.

The Missouri Historical Society has recently acquired several valuable files of Missouri newspapers, principal among which is the *Liberty Tribune* of Clay County, Missouri, 1846-1885. Among the manuscript acquisitions of the society are letters from members of the Doniphan expedition and from the California gold seekers in 1849.

The Nebraska State Historical Society has just issued an *Outline of Nebraska History*, edited by Mr. Albert Watkins, in which events of the history of the state are set forth in methodical order under

subheadings, accompanied by references to books and records forming the only comprehensive bibliography of Nebraska history yet published.

The Torch Press announces for publication early in 1911 *Leading Facts in New Mexican History*, by Ralph E. Twitchell, author of *The Military Occupation of New Mexico*. The work will be in two volumes and will bring the treatment down practically to the present time.

Professor F. G. Young's third paper on "The Financial History of Oregon", which appears in the June number of the *Quarterly of the Oregon Historical Society*, relates to the sale of Oregon lands. T. C. Elliott contributes to this number additional portions of the journal of Peter Skene Ogden on the Snake Expedition of 1826-1827; John Minto writes "What I know of Dr. McLoughlin and how I know it"; and B. F. Manring records "Recollections of a Pioneer of 1859", the pioneer being, not Mr. Manring, but Lawson Stockman.

In a volume entitled *Heroes of California*, which Little, Brown, and Company have published, Mr. George Wharton James has made the founders of the state tell their own stories as far as possible.

Messrs. Wrong and Langton's *Review of Historical Publications relating to Canada*, volume XIV. (Toronto, University Press, 1910, pp. xii, 209), covers the publications of the year 1909 with the same fullness, care, and discrimination in judging which have characterized its predecessors.

Lieutenant-Colonel Cruikshank's *Inventory of the Military Documents in the Canadian Archives* (Publications of the Canadian Archives, no. 2, Ottawa, 1910, pp. 370), referred to in our last issue, has now appeared. It presents statements, generally varying from four to ten lines in length, of the contents of 1847 volumes and 350 portfolios of papers belonging to the series called "C", together with a full index. Series C embraces letters and despatches, with their various enclosures, which accumulated in the office of the Military Secretary to the Commander of the Forces in Canada from 1786 to 1873, the letter books of that official and his chief from 1795 to 1870, his general order books from 1811 to 1870, and less complete sets of the letter books of other military officials. Its value to United States history is in certain parts considerable.

We have received volumes I. and II. of the *Papers and Records* of the Lenox and Addington Historical Society. The society is located at Napanee, Ontario, and derives its name from two counties of the province. The first volume includes some chronicles of Napanee, written in 1873 and 1874, an account of the origin of some of the local names of the region, by W. S. Herrington, notes of early ecclesiastical history of the Bay of Quinte district, contributed by Rev. Canon Jarvis, and a description of amusements among the early settlers, by C. M. Warner. The second volume includes, besides some articles of local



interest, a paper on early education in the province, by Frederick Burrows. It is a misfortune that in the indexes the names are not arranged in precise alphabetical order.

*Three Premiers of Nova Scotia*, by Dr. Edward M. Saunders (Toronto, Briggs, 1909, pp. 628), and Mr. Joseph A. Chisholm's edition of the *Speeches and Public Letters of Joseph Howe* (Halifax, Chronicle Publishing Company, 1909, two volumes, pp. 668, 680), are important contributions to much more than the history of Nova Scotia. J. W. Johnstone, Howe, and Tupper, the three premiers of Dr. Saunders's book, were statesmen of great influence on the development of the Dominion in general.

*Bermuda, Past and Present: a Descriptive and Historical Account of the Somers Islands*, by W. B. Hayward, has been brought out by Dodd, Mead, and Company.

The volume by General Weyler referred to in our last issue is one of five entitled *Mi Mando en Cuba (10 Febrero 1896 á 31 Octubre 1897): Historia Militar y Política de la Última Guerra Separatista durante dicho Mando*, published by Felipe G. Rojas, Madrid. A second volume has now appeared.

Volume XXVI. of Señor Genaro García's *Documentos Inéditos ó muy Raros para la Historia de México* contained a body of documents on the revolution following the Plan of Ayutla, drawn from the archives of General Manuel Doblado. Volume XXXI. (Mexico, Bouret, 1910, pp. 265) continues this material by the printing of 123 letters, of dates running from the end of November, 1855, to the end of July, 1866. The volume is entitled *Los Gobiernos de Alvarez y Comonfort*, and furnishes a vivid picture not only of Doblado's striking character but of the political complications called into existence by the Conservatives in their struggle against ecclesiastical and social reform.

In the "School of Higher Studies" of the National University of Mexico, recently founded, authoritative professors are being engaged to reside at the City of Mexico for three months each year during their terms of office and to lecture to students whose qualifications are graduation from a university school (college) and high honors in subjects related to that to be pursued. It is expected that these professors will devote these courses to research as well as to instruction. Among those already appointed are Professors Baldwin (Baltimore, philosophy and social science), Boas (New York, anthropology), Capitan (Paris, ethnology), and Rowe (Philadelphia, political science). A professor of history is soon to be appointed.

Señor José Toribio Medina of Santiago de Chile, the eminent bibliographer, has just published *La Imprenta en Guatemala, 1660-1821*, a large volume of more than seven hundred pages, containing 2642 titles extending from the beginning of printing in that city.

An Academy of the History of Cuba has been created at Havana by decree of August 20, 1910. Composed of thirty members appointed by the government, this academy will deal with the general interests of Cuban history and will publish a review.

Dr. Georg Friederici, whose scholarly researches into Indian customs, in particular his *Skalpieren und Ähnliche Kriegsgebräuche in America* (1906) and *Die Schifffahrt der Indianer* (1907), have received high commendation, has brought out a brochure upon *Die Amazonen Amerikas* (Leipzig, Simmel, pp. 23). The author has for years been gathering materials upon this subject; the aim in this pamphlet is to point out the many-sided character of the Amazon legends and to maintain (in opposition to the recent contention of Lasch) that the Amazons must not be relegated to the domain of myth.

Señor Rafael M. de Labra's *Orientación Americana de España* (Madrid, 1910) is the second part of the author's work, *La Orientación Internacional de España*, and aims in particular to emphasize the spiritual influence of Spain in America.

The third triennial volume of *Los Pueblos Hispanoamericanos en el Siglo XX.*, prepared by Ricardo Beltrán y Rózpide, has been issued in Madrid. The volume comprises a summary of events, chiefly political and economic, in the several Spanish-American countries during the years 1907-1909. The intervention of the United States in Cuba receives extensive treatment, as do also Panama, the interoceanic canal, and Central American affairs. There is a separate chapter on the international life of Spanish America.

The Hakluyt Society will shortly issue a volume of the correspondence of Storm van 's Gravesande, an important governor of Dutch Guiana, 1743-1772, edited by Messrs. J. A. J. de Villiers of the British Museum and C. A. Harris of the Colonial Office. Governor Storm's papers were, it may be remembered, of much significance in the discussion of the Guiana-Venezuela and Guiana-Brazil boundaries.

Noteworthy articles in periodicals: R. Pietschmann, *Bericht des Diego Rodriguez de Figueroa über seine Verhandlungen mit dem Inka Titu Cusi Yupanqui in den Anden von Villcapampa* (Nachrichten von der K. Gesellschaft der Wissenschaften zu Göttingen, Phil.-Hist. Kl., 1910, 2); Henry Vignaud, *L'Ancienne et la Nouvelle Campagne pour la Canonisation de Christophe Colomb* (Journal de la Société des Américanistes de Paris, VI.); Julius Goebel, *Die Gründung von Neu-Bern in Nord-Carolina* (Internationale Wochenschrift, October 1); L.-A. Prud-homme, *Le Nord-Ouest Canadien après la Conquête, 1760-1784* (Revue Canadienne, September-November); Mme. B. Van Vorst, *L'Amérique au XVIII<sup>e</sup> Siècle, d'après un Voyageur Français* (Revue des Deux Mondes, November); Halvdan Koht, *The Genesis of American Independence* (Christiania Videnskabs-Selskabs Forhandling, 1910, 1).

1910, 3); J. E. Dow, *Some Passages in the Life of Commodore John Barry* (American Catholic Historical Researches, October); Henry G. Ellis, *The Influence of Industrial and Educational Leaders on the Secession of Virginia* (South Atlantic Quarterly, October); Gideon Welles, *Diary of the Reconstruction Period*, IX., X., XI. (Atlantic Monthly, October, November, December); Walter L. Fleming, *General William T. Sherman as a History Teacher* (Educational Review, October); Brigadier-General Frederick Funston, *To Cuba as a Freebooter; Cas-cowa, the first Cuban Siege; The Fall of Guaimaro; A Defeat and a Victory* (Scribner's Magazine, September, October, November, December).

The  
American Historical Review

THE MEETING OF THE AMERICAN HISTORICAL  
ASSOCIATION AT INDIANAPOLIS

INDIANAPOLIS is not a great university centre, though it has a good suburban college and excellent schools. Though a pleasant and hospitable city, it has not much distinguished architecture nor many impressive "sights". It presented little to divert the mind of the historical student from the sessions and the company of his colleagues, nor was that mind distracted (while enlarged) by the simultaneous meetings of non-historical societies. On the other hand, Indianapolis is a railroad centre conveniently reached from a great region abounding in members of the historical fraternity, and the hotel chosen as headquarters was so well arranged as to give every opportunity both for sessions and for sociability. Accordingly, the number of members registered was unusually large, 290, and by general agreement the convention was more than usually successful. The presence of large numbers of the younger men and women was especially observed.

The credit for all this success belongs primarily to the Committee of Local Arrangements, of which Mr. Calvin Kendall was chairman and Professor Christopher B. Coleman of Butler College secretary, and to the Committee on the Programme, Professor Evarts B. Greene of the University of Illinois chairman. But cordial appreciation is also due, for additional pleasures, to those hospitable citizens of Indianapolis who provided the agreeable reception at the John Herron Art Institute and the "smoker" at the University Club, to Mrs. E. C. Atkins, who received the ladies on one of the afternoons, and to the three clubs which threw open their doors to the visitors. There was also a subscription luncheon, with speaking, on the last day, and a variety of informal breakfasts of those who had been trained at the same university or were interested in the same branch of historical work. Noteworthy among similar occasions was a



dinner given in honor of Professor Frederick J. Turner, president of the Association, by his former pupils at the University of Wisconsin, who marked the occasion by the presentation of a volume of historical studies, *Essays in American History, dedicated to Frederick Jackson Turner*, of which any teacher might well be proud.

It must be noted, as a further mark of the success of the meeting, that nearly all the practical conferences of workers in special fields were attended by increased numbers and characterized by interesting proceedings and, in some cases, valuable permanent results.

The economists and the students of political science held their meeting this year in St. Louis. The allied societies which met with the American Historical Association were bodies whose interest is likewise in history—the Mississippi Valley Historical Association, the Ohio Valley Historical Association, and the North Central History Teachers' Association. Sessions of these bodies preceded that of the national organization. Tuesday evening, December 27, was occupied with a joint session of the first two. A business meeting on the afternoon preceding had been devoted mainly to a discussion of propositions for their union. For the present, the view that the Ohio Valley Historical Association had a distinct sphere of usefulness in which it could not be wholly replaced by the Mississippi Valley Historical Association so far prevailed that further consideration of the proposed union was postponed for a year.

In the joint session held in the evening Professor Orin G. Libby of the University of North Dakota read a paper entitled *New Light on the Explorations of the Verendrye*. He placed the Verendrye family—father and sons—in a class with La Salle and with Lewis and Clark in respect to the wide sweep of their explorations in the regions about the upper valley of the Missouri River, extending as far west as the Rocky Mountains, and he discussed the elder Verendrye's discovery of various tribes of Indians unknown to the world before his explorations.<sup>1</sup> Professor Clarence W. Alvord of the University of Illinois followed Professor Libby with a description of Verendrye's discovery of the tribes of Indians about Lake Winnipeg.

Professor Isaac J. Cox of the University of Cincinnati read the second paper of this session, on the American Intervention in West

<sup>1</sup> Professor Libby's paper will be printed in the *Proceedings of the Mississippi Valley Historical Association*. Professor Cox's, the next mentioned, will appear in this journal. Of formal papers mentioned in this article without note of publication in any journal, it may be expected that the greater number will be printed in the *Annual Report* of the Association for 1910.

Florida. Although Mr. Henry Adams, Mr. Fuller, and Admiral Chadwick have depicted the diplomatic controversies in which West Florida was involved, and Professor McMaster has given something of a picture of local affairs in that district preceding the revolt of its inhabitants and the American intervention, yet in all accounts so far, Mr. Cox maintained, the diplomacy in Europe and in Washington and the local events in West Florida appear as distinct movements lacking in visible purpose and connection. He put forward, as the connecting link joining the two and completing the picture of American intervention, the correspondence of Governor Claiborne of Orleans Territory and Governor Holmes of Mississippi Territory, the former giving the best notion of those various frontier movements which rendered the absorption of the territory by the United States inevitable, the latter giving the inner history of the transactions leading immediately to American intervention. With the aid of these sources, essential yet not heretofore extensively used in any account of the episode, and with other documentary material, Mr. Cox described the movements of 1810 and 1811 which ended in the occupation of the Baton Rouge district by Governor Claiborne assisted by Governor Holmes. The emphasis was placed upon the position of Governor Holmes, his attitude toward events occurring in West Florida, his relations with the leaders in these events, his reports to the American government, and his precautions toward insuring the tranquillity of the Mississippi Territory and toward giving moral support to the West Florida insurgents. The later attitude of the United States, in the executive, legislative, and judicial departments of its government, with respect to justification of the movement, was also delineated.

In discussing the paper, Professor Frederic A. Ogg of Simmons College raised the question whether the administration of President Madison had not been censured with too much severity by reason of its actions with regard to West Florida in 1810 and 1811. Abandoning the ground that West Florida was rightfully a part of the Louisiana Purchase he dwelt upon the hopeless decay of Spanish authority in the district, upon the influx between 1800 and 1810 of an American population which by the latter date dominated the district, upon the fact that if there were to be any change of status annexation to the United States was the solution most expedient for all concerned, and upon the reality of the reasons for apprehension lest West Florida be acquired by France or by Great Britain. Dr. Dunbar Rowland, director of the Department of Archives and History in Mississippi, speaking upon the basis of materials in the

archives of that state, defended the action of the United States on similar grounds.<sup>2</sup>

Professor Archer B. Hulbert of Marietta College, in a paper entitled *A Century of Steamboat Navigation on the Ohio*, set forth with emphasis the developments in industrial and social history which had flowed from the launching of the *Orleans* at Pittsburgh in March, 1811, the first steamboat to be operated upon the Ohio River, and argued for a worthy celebration next spring of the centennial anniversary of so great an event. He proposed mechanical, economic, and historical features of the celebration, and the enlisting of various public bodies in co-operative endeavor toward a fitting commemoration.

Professor R. B. Way of Indiana University, in discussion of the paper, enlarged upon the wide range of historical investigation which such a centennial should evoke and urged that the general history of transportation in the Mississippi Valley, the history of westward migration before and during the period of the steamboat, the development of corporations, the contests for trade, and many other aspects of the life of the West should be extensively treated in connection with the celebration.

At a meeting of the executive committee of the Ohio Valley Historical Association definite action was taken assuring a celebration at Pittsburgh and elsewhere in the latter part of September, 1911. The Fulton-Livingston steamboat *Orleans*, launched at Pittsburgh in March, 1811, made a trip to New Orleans in the following September under command of Captain N. J. Roosevelt, a grand-uncle of Colonel Theodore Roosevelt. A Pittsburgh committee will reproduce the steamboat, with the intention that it shall repeat the voyage made by the original boat, halting at the places where it visited, and giving opportunity for various historical exercises, beginning with suitable addresses at Pittsburgh itself.

The Wednesday morning was occupied with a session devoted to the teaching of history and civics, held chiefly under the auspices of the North Central History Teachers' Association and with Professor James A. Woodburn of Indiana University as chairman. Miss Lucy M. Salmon, professor in Vassar College, spoke on the *Evolution of the Teacher*, urging as the main suggestion that the teacher must be a producer in order to prevent arrest of his own development, to be able to train his pupils to produce, and to do his duty toward his profession and toward future times. Therefore,

<sup>2</sup> The papers of Professor Ogg and Dr. Rowland, and that of Professor Hulbert which followed, will be printed in the *Proceedings of the Mississippi Valley Historical Association*.

educational authorities should encourage productivity by providing for the sabbatical year, by establishing fellowships for research open to the teachers of the community, and by encouraging teachers to avail themselves of fellowships offered by universities, while the teacher must do his part to create an intelligent public opinion in respect to these things.<sup>3</sup>

Professor Andrew C. McLaughlin of the University of Chicago, speaking upon the question *Is Government Teachable in the Schools*, advised especially that civil government should be made concrete to the student's mind, commented on the lack of appliances and illustrative material which now impoverishes the teaching on the subject, and discussed the question whether certain important features of civil government—the influence of personal forces, including the boss, the actual methods of political parties, the darker side of our political life—could be instructively taught without implanting discouraging views in the pupils' minds. He believed that civil government and history should be taught together.

Mr. Arthur W. Dunn, civic secretary of the City Club of Philadelphia, spoke upon *Local History and the City Community* as means for the teaching of civics, laying emphasis upon the superior appeal which interest in the local community might make to the youthful mind, and the opportunity thus afforded for developing citizenship of good quality. Mr. Frank P. Goodwin of the Woodward High School in Cincinnati showed how the Cincinnati public schools were using the local history of Cincinnati and the Ohio Valley as part of the regular course in American history, making more concrete the course of the national development and giving a broader significance to that of the local growth.<sup>4</sup> Miss Flora Swan of Indianapolis, with a class from the eighth grade in one of the Indianapolis public schools, illustrated methods by conducting publicly a class in civics.

The proceedings peculiar to the American Historical Association proper began with a group of conferences held on Wednesday afternoon—a conference in Ancient History, another in Modern European History, another in American Diplomatic History with special reference to Latin-American relations, and the fourth the usual annual conference of State and Local Historical Societies. These conferences, according to a procedure now settled as inevitable, were held simultaneously. That on Ancient History was

<sup>3</sup> This paper will be printed by the North Central History Teachers' Association.

<sup>4</sup> These two papers were printed in the *History Teachers' Magazine* for March. The February number of that magazine contained an excellent account of the whole meeting.



attended by about one hundred persons. Noteworthy among the facts encouraging to the teacher of ancient history which were brought forward in the opening address by the chairman of the conference, Mr. Henry B. Wright of Yale University, was the statement that, out of 283 colleges and universities replying to a questionnaire, only 39 responded that ancient history was not taught at all within their walls, 81 that it was taught by the departments of philology (which ten years ago nearly monopolized it), while in 163 ancient history is now taught by members of the historical department. A helpful feature of the procedure of this conference was that printed outlines of the papers read were provided for those attending.

The first paper, by Professor Robert W. Rogers of Drew Theological Seminary, dealt with the Western Campaigns of Sennacherib, using as sources the inscriptions of that monarch and especially the so-called Taylor cylinder, the newly published fragmentary text of Scheil and Ungnad, and the Biblical sources, and arguing that these authorities sustain best the theory of two western campaigns rather than one.

After a paper by Professor Henry A. Sill of Cornell University, entitled Niebuhr, 1810-1910, written apropos of the one hundredth anniversary of Niebuhr's appointment as professor at Berlin, Professor R. F. Scholz of the University of California discoursed on Some Aspects of Roman Imperialism. The aspects to which he adverted were chiefly the spread of the municipal system in Italy and in the provinces, with the evolution of a uniform municipal type (the decurionate) and of municipal law, and on the other hand the growth of the great estates and the feudalization of Italy and of the provinces. The relations of the two processes to each other and to the spread of Roman citizenship and the Edict of Caracalla were traced.

Finally, in a paper on the Monument of Ancyra, which will be printed in a later number of this journal, Professor W. L. Westermann of Wisconsin attempted to define the political motive lying behind the form and manner of publication of the *Res Gestae* of Augustus. He approached the problem through internal evidence, such as that of the significant omission of certain names and the partial avoidance of the term *respublica*, and through such external evidences as are afforded by our knowledge of the weakness of the succession to the principate, the unpopularity of Tiberius, and the use made of the document by publication after the death of Augustus. He thought it might safely be said that the endeavor to secure inheritance of the power in the family of Augustus was at least one

motive which played a part in the composition and publication of the document. The paper was discussed by Messrs. Scholz, Sill, and Wright in the light of Kornemann's theories.

In the conference on Modern European History, over which Professor Guy S. Ford of Illinois presided, the general topic was European History as a Field for American Historical Work. The discussion was opened with a paper by Professor Charles M. Andrews of Yale on the Doctor's Dissertation in European History.<sup>5</sup> The paper dealt with some of the advantages and disadvantages which accompany the efforts of American students in handling subjects for doctoral dissertations selected from that field. The manifest advantages concerned the professional and intellectual expansion of the individual; the disadvantages, the difficulties of distance, expense, and similar practical considerations, and above all of language and of unfamiliarity with the traditions and temperament of another people. The want of adequate guides and seminaries was pointed out and the greater complexity of the subject was considered at length. The speaker discussed the differences that exist between the materials and methods for modern as contrasted with medieval history and the nature of the qualifications demanded of the student specializing in the modern field. He endeavored to ascertain the causes for the greater complexity of the documentary material for modern history, discussing their nature, their whereabouts whether in print or in manuscript, and the conditions under which documents in archive depositories are to be used. Attention was called to the growing importance of a knowledge of archives and of archive regulations in the countries of Europe and to some of the differences prevailing in the theory and practice adopted. In conclusion, Mr. Andrews said that "to the student able and equipped to invade the archives of another country than his own the advantages to himself and to his profession are so marked and the results likely to be so fruitful that it is eminently desirable for the graduate departments of our American universities to encourage such invasion whenever and wherever it is possible to do so."

In discussing Professor Andrews's paper, the *pièce de résistance* of the conference, Professor Archibald C. Coolidge of Harvard, after admitting and to some extent dwelling upon some of the linguistic and pecuniary difficulties that beset the student of modern European history, and the need of more laborious preparation for tasks in that field, showed that on the other hand there were compensations, and that the very difficulties to be encountered were of a nature to stimulate the more ambitious mind. It should also be

<sup>5</sup> Printed in the April number of the *History Teachers' Magazine*.

remembered that America owes something to the cause of general historical scholarship and that it is highly desirable that a certain proportion of the work in European history should be done by Americans. Professor John M. Vincent of the Johns Hopkins University, while likewise admitting the difficulties which had been set forth, called attention to the considerable number of fields of research in which printed materials abound and in which therefore some of the difficulties are reduced. Professor James W. Thompson of the University of Chicago, while agreeing in the main with Professor Andrews's conclusions, took issue with him as to the relative value of medieval and modern history, expressing some doubt as to whether modern history required greater ability to combine and construct, and held that training in critical work in the medieval field might develop properly the young mind for work in modern history. He suggested a number of open fields for historical investigation, and expressed the belief that the immediate future would see much greater attention paid to topics in the psychological interpretation of history. Professor Fred M. Fling of the University of Nebraska, agreeing that American scholars must of necessity engage in research work in modern European history, laid emphasis upon the need of beginning their critical training in their undergraduate years by intensive work in the original sources. Professor Frank M. Anderson of the University of Minnesota suggested that much of the difficulty incident to the thesis in modern history could be lessened by selecting subjects which ran into both American and European history, and expressed the hope that American universities might some time so arrange that there should be each year in Paris an American professor of modern history somewhat familiar with the archives of that city, who might assist American students occupied with researches there.

In order to secure continuity in the work of the Modern History Conference a committee was appointed, consisting of Professors Vincent and Thompson, to consider the matter and to confer with a similar committee to be appointed by the conference in Medieval History.

The third conference, that on American Diplomatic History, was presided over by Professor James A. James of Northwestern University. The opening paper, by Professor Joseph Schafer of the University of Oregon, on George Canning's policy respecting the Oregon boundary question, is represented in the pages of this journal by parts of the article which he contributed to our last number. Upon the basis of correspondence preserved in the archives of our Department of State, Professor James M. Callahan of the Univer-

sity of West Virginia displayed the Mexican Policy of Southern Leaders on the Eve of the Civil War. James Gadsden, before his negotiations for territory were completed in 1853, was sent confidential instructions authorizing him to purchase Lower California and the entire region beyond the Rio Grande to the watershed and to 32° N. lat. on the Gulf of California. Negotiations were renewed under President Buchanan through John Forsyth and Robert M. McLane for the acquisition of additional territory in this region, an acquisition which under the influence of Southern leaders was regarded as the most satisfactory solution of the Mexican problem short of an American protectorate. Unsuccessful in this effort, the administration set itself to secure concessions as to transit across Mexico and as to direct intervention for enforcing treaty stipulations. The treaty which was finally signed on this basis was delayed in the Senate, and finally the Secession movement and the beginning of the Civil War made its ratification impossible, taking from the Senate almost all the members who had voted for it.

In remarks upon Trade and Diplomacy between the United States and Latin America, Mr. Joseph H. Sears of New York City described the lack of facilities for transportation and banking, the indifference of North Americans to Latin-American customs of trade and life, and the manner in which similar ignorance has hindered success in diplomatic relations. Mr. Albert Hale of the Pan-American Union followed along similar lines but thought the situation improving, and called attention to the interesting field of historical research which certain phases of Latin America presented. Dr. Don E. Smith of the University of California suggested a school or institute of Latin-American historical studies in Mexico, analogous to the American schools in Athens and Rome. Other university teachers described the development of diplomatic history in their curricula. A committee was appointed to arrange, if practicable, for a similar conference at the next meeting of the Association.

The fourth of the conferences, that of State and Local Historical Societies, on Wednesday afternoon, presided over by Mr. Clarence M. Burton of Detroit, was attended by about forty persons, representing nearly that number of organizations. Dr. Dunbar Rowland reported on behalf of the Committee on Co-operation among Historical Societies and Departments respecting the preparation of a calendar of the documents in the French archives concerning the Mississippi Valley. Active work on that calendar was commenced in November, 1909, and has advanced to as great an extent as is possible under the system of employing but a moderate number of assistants in order that their work may be closely super-



vised by Mr. Leland, who has the matter in charge. Mr. Leland expects to save time by acquiring the manuscript of a calendar of documents in the "Correspondance Générale, Louisiane", which, as has heretofore been mentioned in this journal, was at one time prepared by an official of the Archives of the Ministry of the Colonies with the expectation that it would be printed by that ministry. It is expected that the calendar which the Committee of Seven has in charge may be ready for print before the end of the year 1912.

In the same conference Mr. F. A. Sampson of the Missouri State Historical Society spoke on Publicity as a Means of Adding to Collections, describing the modes by which societies or departments might bring home to the public a better knowledge of what should be brought into historical collections and a warmer interest in supplying them with the things which it is their function to preserve. Professor Clarence W. Alvord of Illinois treated of the Preservation and Care of Collections, occupying his remarks mainly with the processes of restoration and treatment of manuscripts, and illustrating those processes by the exhibition of examples.

The first general session of the Association took place on Wednesday evening. It was opened by an address of welcome on behalf of the community, by the governor of Indiana, Hon. Thomas R. Marshall. The presidential address which followed, on Social Forces in American History, by Professor Frederick J. Turner of Harvard University, has already been printed in this journal, in the number preceding this. It suffices here to say, that he dealt, as only a devoted and accomplished student of Western history could do, with the new light cast on our whole history by the extraordinary developments of the last twenty years, and with the new duties which this imposes on the historian.

Appropriately to the fiftieth anniversary of the winter of Secession, a large place was given in the public sessions of the Association to the political events of 1860-1861, Thursday morning's session being occupied with affairs at the North, Friday's at the South. The former series was opened by Professor Carl R. Fish of the University of Wisconsin with a paper on the Decision of the Ohio Valley.

The purpose of his paper was, first, to show the essential unity of that valley in 1860 and the necessity that the whole valley should come to the same decision in the division of the country; and, secondly, to show that its voice was necessarily given in favor of the unity of the whole country. The essential elements of homogeneity in the valley were the similarity of its stock, of its occupations, and in particular of its commercial life, the main object of the valley

merchants being to find an outlet for their surplus products and the most convenient markets from which to purchase their importations. By 1860 the Mississippi had almost ceased to be an avenue of export and the Northern and European markets which were reached by means of the railroads to the North and East had become much more important than the Southern. A study of the elections of 1860 and 1861, while revealing minor sectional differences within the valley, shows this essential unity. In 1860 a majority voted for the compromise candidates, Bell and Douglas; and even the Breckinridge vote, except in western and to some extent in southern Kentucky, is by no means to be counted as a vote against national unity. While there was a majority in the valley for peace, there was an even larger majority for union.

In a paper on the Dred Scott Decision, more particularly on the declaration that the eighth section of the Missouri Compromise Act was unconstitutional, Professor Edward S. Corwin of Princeton declared his persuasion that the usual historical verdict with reference to that announcement needs revision on two points: first, as to its being *obiter dictum*, and secondly, as to its basis. The paper may be expected to appear later in this journal.

Professor Andrew C. McLaughlin of the University of Chicago read a paper on the Doctrine of State Sovereignty and Secession. It showed the necessary basis of that doctrine to be the assertion that the states were separate sovereignties before the adoption of the Federal Constitution, and that they adopted the Constitution separately. The doctrine does not rely to any great extent on any expressed intention of the men of 1788 to retain the states in undiminished sovereignty or on any such conscious purpose, for there is practically no contemporaneous testimony or evidence that the men who adopted the Constitution believed that the states remained sovereign and could secede at will. The theory rests upon the metaphysical supposition that if the states acted separately, their action did not result in the establishment of unity or a government with power of compulsion over them. The Virginia and Kentucky Resolutions were based on the principles of the American Revolution, not on those of the War of Secession. The paper also called attention to the struggles in the early part of the nineteenth century concerning the right of the central government to judge of its own powers. The question of this right, rather than of any clear-cut doctrine of state sovereignty and secession, was the question under discussion in the first quarter of the century. After a consideration of the theories of Judge Roane, John Taylor, and others of the

South, the paper ended with a consideration of the pivotal points in the arguments of Calhoun.

The morning session was concluded with a paper by Judge Daniel W. Howe of the Indiana Historical Society respecting the Development of War Spirit in the North, in which he described, with vividness and warmth derived from personal remembrance, the events of Secession; the varying opinions prevalent in the closing months of 1860; the peace measures of Congress; the discussions respecting the Charleston forts; the vacillations of Buchanan; the hesitancy during the first month of Lincoln's administration; the bombardment of Fort Sumter; the call to arms and the immediate and impressive response.

As on the previous day, the afternoon was given up to conferences—a conference on Medieval History presided over by Professor Earle W. Dow of the University of Michigan; a conference of Archivists presided over by Professor Herman V. Ames of the University of Pennsylvania, chairman of the Public Archives Commission; and a conference of Teachers of History in Teachers' Colleges and Normal Schools, of which the chairman was Professor Albert H. Sanford of the State Normal School at La Crosse, Wisconsin.

The first of these was in practice almost confined to the medieval history of England. A paper on Royal Purveyance in England during the Fourteenth Century, by Professor Chalfant Robinson of Yale, rested mainly upon the *Speculum Regis* of Simon Islip, afterwards archbishop of Canterbury, a document consisting of a series of remonstrances addressed to Edward III., in whose reign the abuses of purveyance were peculiarly burdensome. Taken in conjunction with the great statute of 36 Edward III. on purveyance, this document furnishes a comprehensive picture of the wrongs suffered by humble Englishmen from the action of the king's officers. The *Speculum Regis*, compiled in 1337 and 1345, furnishes graphic pictures of what happened in specific instances of the exercise of royal purveyance.

The only other formal paper read in this conference was one by Professor James F. Baldwin of Vassar College on the Records of the Privy Seal, his endeavor being to show how the wide scope of operations under the Privy Seal made the miscellaneous records of its office useful for a multitude of topics in English medieval history. He dwelt specifically upon the warrants of the Treasurer and Chancellor; upon the letters and writs not destined for the Great Seal; upon the Wardrobe and its diplomatic functions; and

upon the various records illustrative of the history of the King's Council.

The remainder of the proceedings in this conference was given to a less formal consideration of profitable opportunities for investigation in English medieval history. In opening the discussion Professor Cheyney of the University of Pennsylvania inquired into what might be done by the use of a sane comparative method, especially as between legislative development in France and England, and several of those who followed him dwelt in one way or another on the same point, Professor Vincent especially urging work depicting medieval society in motion rather than the exclusive study of the origin and growth of institutions, while Professor C. H. McIlwain of Bowdoin College pleaded for more attention to the study of historical jurisprudence and of legal ideas.

The conference of Archivists, held now for the second time, distinctly justified its existence. Very appropriately, it was opened by an account of the International Conference of Archivists held at Brussels last August, at which the American Historical Association was represented by four delegates. The narrative was prepared by one of these, Mr. A. J. F. van Laer of Albany, who set forth fully and clearly the discussions and results of the congress. The progress in the acquisition of modern administrative records, the development of archives for economic history, and the improvements in the training of archive officials, were well brought out. Among the resolutions voted at Brussels the one most important for American archivists was that which declared emphatically the general European opinion that the arrangement of papers in archives should respect the *principe de provenance*, keeping original deposits together and basing classification strictly on the organic relations between the offices from which the documents were derived.

In a paper on the Concentration of State and National Archives, Dr. Dunbar Rowland of Mississippi endeavored to apply the lessons of European experience and of the historical use of archives to the problem of bringing better order and system into the management of American archives, now frequently chaotic in respect to collocation, administration, and classification. He advocated concentration into state archives, furnished with adequate buildings, and uniform state care. Mr. Gaillard Hunt, chief of the Division of Manuscripts in the Library of Congress, speaking with respect to the archives of our national government, dwelt especially upon the need of a proper National Archive Building in Washington, and gave a rapid survey of the best points in the archive repositories of Europe with a view to showing what such a building should be, in order to



serve at the same time the needs of government business, which must of necessity come first, and the purposes of the historical student.

Further remarks in this conference were made by Professor Frederic L. Paxson of the University of Wisconsin, on the practice of the English and other archives with respect to the fixing of the dividing date between papers which may be examined and those which for governmental reasons are withheld; by Mr. Dan E. Clark of Iowa, on the progress of legislation respecting archives in that state and the administration of the present excellent system; by Professor Eugene C. Barker of the University of Texas, on the recent law in that state organizing the Library and Historical Commission; by Professor Harlow Lindley of Earlham College, on the question what materials should go into the archives of the state; by Mr. R. D. W. Connor of the North Carolina Historical Commission, on its work; by Mr. Demarchus C. Brown, on the efforts now making in Indiana; by Mr. Asa C. Tilton of the Connecticut State Library, on the relations between state archives and state libraries; by Professor Justin H. Smith, who spoke with reference to the needs and interests of the private investigator; and by Mr. J. F. Jameson, on the movement in Washington for a proper National Archive Building and the work of the Association's committee on that subject.

The last of the conferences of this afternoon, that of Teachers of History in Teachers' Colleges and Normal Schools, was occupied with the question of the preparation which teachers of history in schools should be required to have. Professor Edgar Dawson of the Normal College in New York City contrasted the preparative work expected in France and Germany of teachers of history in secondary schools—including university work at least equal to that required for the doctor's degree—with the much lower standards of eligibility for high school teachers of history in America, and warmly commended the California requirement of a year of graduate residence at a university and a recommendation from the university department in which the candidate has studied. Professor Thomas N. Hoover of the State Normal College of the Ohio University described systematically the defects in the present teaching and the ways in which these might be remedied by better academic education followed by superior professional training.<sup>6</sup> Professor Frank S. Bogardus of the Indiana State Normal School at Terre Haute believed that the path of success in any endeavor after improvement

<sup>6</sup> The papers of Professors Dawson and Hoover may be expected to appear in the *History Teachers' Magazine* for May.

lay in co-operation with the general movement toward improving the qualifications of secondary school teachers of all sorts, and dwelt, as did Professor Harold W. Foght of the Missouri State Normal School at Kirksville, on the proper proportions between the requirements in respect to academic training (substantially a college degree) and the requirements in respect to professional or pedagogical training.

Miss Sarah M. Riggs of the Iowa State Teachers' College at Cedar Falls read the concluding paper of this conference, on the preparation necessary for the teaching of history in the grades, describing the course which schools aiming to prepare teachers of history should provide, not only in history but in allied subjects, such as geography and economics, and in psychology, with special reference to the development of the mind of the child.<sup>7</sup> The discussions of these papers made evident an earnest and general conviction that we should have in America far better preparation than hitherto for the work of teaching history in schools. A committee, Professor Edward C. Page, Miss Julia A. King, and Professor Henry Johnson, was appointed with reference to provision for similar conferences at subsequent meetings.

A general session devoted to papers in European history was held on Thursday evening. Five papers were read. The first, by Professor Laurence M. Larson of the University of Illinois, was on the Efforts of the Danish Kings to Recover the English Crown after the Death of Harthacnut. The speaker believed that it was Cnut's intention to leave the empire to Harthacnut. This arrangement was disturbed by the failure of direct heirs, and by revolutionary movements in Norway, leading to intermittent warfare between Norway and Denmark lasting for more than two decades. The Danish attempts at invasion in 1069, 1075, and 1085 were discussed with especial reference to the causes that brought failure—in the first instance the breakdown of Sweyn's ambitious plan of reducing Norway, in the second the lack of co-operation on the part of the English, who remembered the devastation of the Vale of York, and in the third the renewal of war on Cnut's Saxon frontier immediately after the death of Gregory VII. The Domesday survey may have been in part a result of financial difficulties brought on by William's elaborate preparations to meet the threatened invasion; but it can hardly be true that the Salisbury oath was the outcome of this danger.

Dr. Roland G. Usher contributed Some Critical Notes on the Works of S. R. Gardiner. As his readers are well aware, Dr.

<sup>7</sup> *Ibid.*

Gardiner leaves them to infer his views of the character and of the general development of the story from brief remarks interjected from time to time into the narrative. An attempt to elaborate from these fragments a connected and clear statement of Gardiner's conceptions concerning the characters of Charles, Laud, Pym, Strafford, and Cromwell, and concerning his conception of the English constitution, and the sense in which he used the word "nation", had seemed to Dr. Usher to lay bare grave inconsistencies of language and even of thought, which he proceeded to discuss in detail.

Upon the basis of extensive researches in both the English and Dutch archives Professor Ralph C. H. Catterall of Cornell University discoursed upon Anglo-Dutch Relations, 1654-1660. During these years, and indeed before and after, these relations centre about the attempt of the Dutch to persuade the English to adopt a policy of freedom in regard to commerce and navigation. After the peace of 1654 efforts were made to secure the revocation of the Navigation Act. Failing in this, the Dutch ambassadors pushed for a marine treaty which should recognize the principle of "free ships, free goods", remove the great abuses attending the exercise of the right of search upon the part of the English, and restrict the definition of contraband goods to objects directly used in waging war. Nieupoort's persistent but skilful endeavors to secure these objects, the counter-propositions of the English, and the negotiations, especially during the years 1656 and 1657, were described in detail. Delayed by the constitutional debates in England and suspended as nearly hopeless at the end of 1657, the negotiations were made impossible of renewal by the Dutch blockade of Lisbon in the autumn of the next year, and though Nieupoort persisted, the Restoration found matters in exactly the same state as had existed in 1654.

After this paper Professor H. Morse Stephens of the University of California gave an entertaining informal address upon the Historiography of the French Revolution, with special reference to and commendation of the work of Aulard.

The last paper of the evening was read by Professor Charles D. Hazen of Smith College, on Alexis de Tocqueville and the Republic of 1848. When the Second Republic was proclaimed Tocqueville immediately rallied to it, although he had never believed a republic suitable for France. He now considered, however, that it offered the only means of preserving her from anarchy or a dictatorship. He was appointed by the National Assembly a member of the committee to form the constitution, served as Minister of Foreign Affairs under Louis Napoleon from June to October, 1849, and was a member of a committee on the revision of the constitution in 1851. Mr.

Hazen described in detail the acts and opinions of Tocqueville respecting the formation of the constitution during the period of his service in the first of these three capacities, and his endeavors in the latter two to preserve the republic by foiling the ambitions of the prince president.

The session of the last morning was, as has been mentioned, devoted to further papers related to the fiftieth anniversary of Secession. The formal papers were preceded by a most delightful informal talk on the part of Dr. James B. Angell, president emeritus of the University of Michigan, entitled *Some Recollections of a Horseback Ride through the South in 1850*. Starting from Winchester, Virginia, the route of this expedition passed through Charlottesville, Charlotte, Columbia, Charleston, Augusta, Atlanta, into Florida, with subsequent visits to Montgomery, Mobile, and New Orleans. From a political point of view the matters mainly touched upon were on the one hand the general restiveness and tendency towards secession in that year, and on the other hand the conservatism in respect to such movements which the commercial spirit had inspired in the cities. But the speaker dwelt more largely, and most entertainingly, upon the social and picturesque features of Southern life which in successive places of the sojourn impressed the mind of a young Northern observer.

Professor David Y. Thomas of the University of Arkansas discussed the Lower South in the Election of 1860. He showed that the county and state conventions had assumed a radical position, but that among the delegates to them there was a decided preponderance of lawyers and office-holders, and very few planters. Upon careful comparison of the election returns, county by county, and the statistics with respect to slavery, Professor Thomas concluded that the general tendency of the slaveholders, especially those who held many slaves, was to support the conservative Bell, while that of the poorer non-slaveholders was to support the radical Breckinridge. The wealthy slaveholders were almost unanimously agreed upon their rights in the territories, though they differed as to the expediency of pushing radical demands. The speaker set forth the reasons why the non-slaveholders maintained their alliance with the slaveholders, or continued to follow contentedly their lead.

The second Southern paper was that of Professor William K. Boyd of Trinity College, on North Carolina on the Eve of Secession. Some phases of Southern life often lost from sight in discussions of slavery and secession are illustrated by the case of North Carolina. These are: a social system in which the predominant type was the small farmer of moderate means; an economic



and political cleavage between the eastern and western counties; a less extensive development of slavery than in the far South, and indeed an attitude in the western counties of protest against domination by the interest of slavery; and finally, a political opinion in regard to federal relations strongly affected by the Whig control, which had lasted from 1836 to 1850. From 1850 to 1860 the main struggle was between those who wished to co-operate with the far South in demanding opportunity for slavery in the territories, and the Whigs and conservative Democrats who opposed that propaganda. The speaker reviewed the other issues of the time, political and personal, and the action of the North Carolina delegates to the National Democratic Convention of 1860. An analysis of the votes of that year seemed to him to show that the small majority of Breckinridge was really a rebuke to the radical democracy, an attitude evidenced again in February, 1861, and maintained until Lincoln's call for troops.

The paper of Professor William E. Dodd of the University of Chicago on the Fight for the Northwest in 1860 we shall have the pleasure of presenting to our readers in a subsequent number. That of Mr. Armand J. Gerson of the University of Pennsylvania on the Inception of the Montgomery Convention began with a consideration of the work of those commissioners whom the seceding states appointed to confer with each other and with other slave states in December, 1860, and January, 1861. The adoption of February 4 as the date of the proposed convention was due to a proposal to that effect agreed upon by the South Carolina commissioners before they departed to their respective destinations. The adoption of Montgomery as the place was due to a suggestion let fall by the South Carolina commissioner to Alabama in an address before the Alabama Convention, upon which ensued an invitation from that state. Many writers have attributed one or both of these decisions to the action of Mississippi, but this Mr. Gerson showed to be erroneous.

The final session of the Association, held on Friday evening (the annual business meeting having already taken place in the afternoon), was devoted to the reading of a single paper, of much brilliancy of style and importance of content, and its discussion from various points of view. The paper, by Professor James H. Robinson of Columbia University, was on The Relation of History to the Newer Sciences of Man. Mr. Robinson pointed out that history had since the middle of the nineteenth century been mainly engaged in making itself scientifically presentable by a scrupulous criticism of its sources, a detailed study of past events and condi-

tions, and the elimination of the older supernatural, metaphysical, and anthropocentric interpretations. This arduous process has proved so absorbing that historical students have not as yet taken full account of either the discovery of man's descent from the lower animals or of the vast period during which he now appears to have been living on the globe. The organic sciences as well as those dealing with man specifically have been revolutionized by the interpretations and explanations suggested by the evolutionary theory. In the work of the historian, strangely enough, the genetic element is as yet far less common than would seem natural and essential. History, in one sense, is as yet less historical in its mode than comparative anatomy. Moreover, during the past forty or fifty years a number of new social sciences have been developing, the results of which ought to have an important influence in modifying our notions of man and his development. Among these newer ways of studying man are anthropology, the study of comparative religions, palæthnology, social psychology and its essential basis, animal psychology. Our conceptions of race, of culture, its origin and transmission, of progress and decline, of "human nature", and of all religious phenomena have been profoundly modified by anthropological and psychological investigations. As yet historical students continue to use the terms in senses which have been outlawed and thus run grave danger of misunderstanding and misinterpreting many vital phenomena.

Professor George L. Burr said that while, like Mr. Robinson, he held that all the sciences are sisters and should be fellow-workers, and while with him he deprecated a history that is merely antiquarian and a *Historismus* that has lost its touch with life, he could see no reason for including under the name of history the sciences which are only her neighbors. The scholars now held up to our admiration by Mr. Robinson are far from doing this. Propositions learned by rote, however true, do not make up a science. A science is our science only in so far as we can use its processes and test its results. When biology and anthropology have explained for us all they can, when the social sciences shall have accounted for every survival, every instinct, every imitation, there will still remain for history a field broad enough and noble enough for any study; and woe betide the social sciences themselves if we forget it.

Further comments were made by Professor George W. Knight of the Ohio State University. Since primarily history deals with mankind in past action, it is its business to accept and to use whatever solid results of other sciences make possible a better understanding of mankind. But similarly, the other sciences of man

rely and must rely upon history to furnish them data which they accept as of assistance in their primary fields. There is a never ceasing mutuality of interest and interchange of results between them all. Without differing from Professor Robinson as to the influence which the newer sciences ought to have on the historian, he held that that influence had already been working, in a degree greater than the latter had seemed to recognize. He drew particular attention to the duty of the instructor in history to make sure that his students became acquainted with the important verities of the other sciences of mankind.

Professor George H. Mead of the University of Chicago held that the matter of history, man, has in fact become different because of the scientific advances upon which Professor Robinson dwelt. The older histories had been political because society's conscious efforts had taken the form of endeavors to solve political problems. More recently we have become more occupied with social problems and history would probably respond to this change by a difference of treatment and a different relation to the sciences.

The transactions of the annual business meeting remain to be reported. It will without doubt be agreed that they show a substantial year's progress on the part of the Association and its various standing committees and commissions. The report of the secretary, Mr. Waldo G. Leland, showed a total membership of 2925. That of the treasurer, Dr. Clarence W. Bowen, showed net receipts of \$10,078, net expenditures of \$9,318, an increase of \$615 during the year in the funds of the Association, and total assets of \$27,518.

The Historical Manuscripts Commission reported concerning the completion of the Diplomatic Correspondence of the Republic of Texas and the preparation for publication of a body of correspondence of Robert Toombs, Alexander H. Stephens, and Howell Cobb. The Public Archives Commission reported its expectation of printing in the next annual volume reports on the archives of Indiana, Kentucky, and Nebraska, and its intention to prepare for publication a list of commissions and instructions issued to colonial governors and of all representations and reports of the Board of Trade. The committee on the Justin Winsor Prize reported the award of the prize to Dr. Edward R. Turner of Bryn Mawr College for an essay entitled "The Negro of Pennsylvania—Slavery, Servitude and Freedom, 1699-1861". Upon joint representations from this committee and from the committee on the Herbert Baxter Adams Prize it was voted by the Association that the regulations of the competition should be so amended that after 1911 the essays shall

be submitted on or before July 1 of the given year, instead of October 1.

Brief reports were also made on behalf of the Pacific Coast Branch (represented on the present occasion by Professor H. Morse Stephens), the Board of Editors of this journal, the Committee on Publication, the Committee on Bibliography, the General Committee, the general editor of the *Original Narratives of Early American History*, and the Committee on a Bibliography of Modern English History. The report of the Committee of Five on History in Secondary Schools was understood to be already in the press, to be published by the Macmillan Company within the ensuing three months. The bibliography of modern English history is being prepared by the joint efforts of an American and an English committee, the former dealing with the Tudor period, the latter with that of the Stuarts.

Upon recommendation of the Executive Council a resolution was passed for petitioning Congress to erect in Washington a National Archives Building in which the records of the government may be concentrated, properly cared for, and preserved; and the prosecution of the matter was entrusted to a committee of the Council already having efforts of a similar purpose in charge.<sup>8</sup>

Upon invitations from Buffalo and Ithaca it was voted that the next annual meeting should be held at Buffalo in the last days of December, 1911, with a final day's excursion to Ithaca. The Council announced the membership of the Committee on Programme for that meeting and of the Local Committee of Arrangements, and the membership for the ensuing year of the various permanent committees and commissions. A list of these follows.

Professor Andrew C. McLaughlin, whose term as a member of the Board of Editors of this journal expired December 31, 1910, was re-elected by the Council for a further period of six years.

The committee on nominations, Professors Frank H. Hodder, Frank M. Anderson, and John M. Vincent, proposed a list of officers, all of whom were chosen by the Association. Professor William M. Sloane was elected president for the ensuing year, Theodore Roosevelt and Professor William A. Dunning vice-presidents, Mr. Waldo G. Leland was re-elected secretary, Professor Charles H. Haskins secretary of the Council, Dr. Clarence W. Bowen treasurer, and Mr. A. Howard Clark curator. In the place of Professors Farrand and Hodder, who had served three terms on the

<sup>8</sup> A memorial prepared by the committee was presented in the Senate in February by Senator Lodge and in the House of Representatives by Mr. George P. Lawrence, and is printed as 61 Cong., 3 sess., *Sen. Doc. No. 838*.



Executive Council, Professors James A. Woodburn and Fred M. Fling were chosen.

OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL  
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*Executive Council* (in addition to the above-named officers):

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J. Franklin Jameson, Esq., <sup>1</sup>	

*Committees:*

*Committee on Programme for the Twenty-seventh Annual Meeting:* Professor Charles H. Hull, Ithaca, N. Y., chairman; William E. Dodd, William S. Ferguson, Jesse S. Reeves, Ferdinand Schevill, George M. Wrong.

*Local Committee of Arrangements for that Meeting:*  
chairman; Frank H. Severance, secretary;  
Charles H. Hull.

*Editors of the American Historical Review:* Professor George B. Adams, Yale University, chairman; George L. Burr, J. Franklin Jameson, Andrew C. McLaughlin, William M. Sloane, Frederick J. Turner.

<sup>1</sup> Ex-presidents.

*Historical Manuscripts Commission:* Worthington C. Ford, Esq., Massachusetts Historical Society, chairman; Clarence W. Alvord, Julian P. Bretz, Herbert D. Foster, Ulrich B. Phillips, Frederick G. Young.

*Committee on the Justin Winsor Prize:* Professor Claude H. Van Tyne, University of Michigan, chairman; Carl Becker, Francis A. Christie, John H. Latané, William MacDonald.

*Public Archives Commission:* Professor Herman V. Ames, University of Pennsylvania, chairman; Charles M. Andrews, Robert D. W. Connor, Gaillard Hunt, Victor H. Paltsits, Dunbar Rowland, Jonas Viles.

*Committee on Bibliography:* Professor Ernest C. Richardson, Princeton University, chairman; W. Dawson Johnston, Frederick J. Teggart, George P. Winship.

*Committee on Publications:* Professor William A. Dunning, Columbia University, chairman; and (*ex officiiis*) Herman V. Ames, George L. Burr, Worthington C. Ford, Charles H. Haskins, J. Franklin Jameson, Waldo G. Leland, Ernest C. Richardson, Claude H. Van Tyne.

*Committee on the Herbert Baxter Adams Prize:* Professor George L. Burr, Cornell University, chairman; Guy S. Ford, Edwin F. Gay, Charles D. Hazen, James W. Thompson.

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*Committee on Bibliography of Modern English History:* Professor Edward P. Cheyney, University of Pennsylvania, chairman; Arthur L. Cross, Roger B. Merriman, Ernest C. Richardson, Williston Walker.

*Conference of State and Local Historical Societies:* Professor Isaac J. Cox, University of Cincinnati, chairman; Waldo G. Leland, secretary.

*Committee to Study and Report to the Council upon the Certification of High School Teachers of History:* Professor Dana C. Munro, University of Wisconsin, chairman; Kendric C. Babcock, Edgar Dawson, Robert A. Maurer.

## THE CORTES OF THE SPANISH KINGDOMS IN THE LATER MIDDLE AGES

THE purpose of the present article is to examine and compare the composition, functions, and procedure of the Cortes of the different kingdoms of Spain from the thirteenth to the sixteenth centuries—in other words, during the period when they were at the height of their power. The thorny question of origins forms a topic by itself and can be only touched on incidentally here; and it has not seemed worth while to carry the investigation beyond the accession of Ferdinand and Isabella, save in a few special cases, since the later history of these institutions is comparatively well known. The Castilian Cortes have been treated more fully than the equally interesting and much more advanced assemblies of the eastern kingdoms, partly because they were destined, after the union of the crowns, to take precedence over the others, and partly because the material for their history is at present much the most fully available.<sup>1</sup>

<sup>1</sup> For those who are familiar with the absence of references and bibliographical apparatus characteristic of Spanish historians, no apology will be needed for the length of this note on the sources and authorities upon this topic. Much original material has been made available during the past half-century by the efforts of the Real Academia de la Historia, and more is to be expected in the near future. In 1855 this learned body published a *Catálogo . . . de las Cortes de los Antiguos Reinos de España*, giving dates, places, and brief descriptions of the assemblies which, in the estimation of the scholars who edited it, could fairly be called Cortes. Though the accuracy of this *Catálogo* has been called in question again and again by subsequent writers, it formed an indispensable groundwork for later investigation. Between 1861 and 1903 the Academia published in five volumes the text of the proceedings of the Cortes of Leon and Castile from the beginning to 1559, with an excellent introduction in two volumes by Don Manuel Colmeiro; this introduction is by far the most valuable authority on the history of the Castilian Cortes. Meantime the Congreso de los Diputados undertook to publish the proceedings of the Cortes of Castile from 1563 to 1713, and has already reached the year 1619 in thirty-two volumes, while the Academia has recently turned its attention to a new series of *Cortes de los Antiguos Reinos de Aragón y de Valencia y Principado de Cataluña*, in which thirteen volumes of the proceedings of the Cortes of Catalonia from 1064 to 1423 have already appeared. The proceedings of the Cortes of Aragon and of Valencia, of the General Cortes of the three eastern kingdoms, and of the Cortes of Navarre are still unpublished; but there are printed collections of the *fueros*, laws, and ordinances of each realm, such as *Fueros y Observancias del Reyno de Aragón*, published by order of the Diputación Permanente del Reyno (2 vols., Saragossa, 1667); *Constitutions y Altres Drets de Cathalunya* (3 vols., Barcelona, 1588); *Fori Regni Valentiae* (Valencia, 1547); and finally *Procesos de las Antiguas Cortes y Parlamentos de Cataluña, Aragón y Valencia* in Bofarull's *Documentos Inéditos . . . de la Corona de Aragón*, vols. I.–VIII. (Barcelona, 1847–1851).

CASTILE.

It is generally agreed among Spanish historians that the origin of the Cortes of Castile and Leon is to be found in the powerful Councils of Toledo, composed of nobles and clergy, which played such an important part in the government of Church and State during the

The comparative scantiness of available original material on the Cortes of the eastern kingdoms is partially counterbalanced by the large number of Aragonese, Catalanian, and Valencian writers on historical and legal subjects who flourished in the fifteenth, sixteenth, and seventeenth centuries. Of the historians, Jerónimo Zurita, by far the greatest, is too well known to need characterization here. Of the legal and institutional writers, the following are perhaps the most important (I have placed each author in chronological order under the country with which his book specially deals; most of the works here mentioned, however, contain information of value on the Cortes of all three realms of the crown of Aragon):

*Aragon.* Jerónimo Blancas, d. 1590, chronicler of the realm, wrote *Modo de proceder en Cortes de Aragón* (Saragossa, 1641). Blancas was also the author of *Commentarii Rerum Aragonensium* and *Coronaciones de los Reyes de Aragón*. See Prescott's *Ferdinand and Isabella*, note to section 11. of Introduction.

Jerónimo de Martel, appointed chronicler of the realm in 1597, wrote *Forma de celebrar Cortes en Aragón*, published with Blancas's *Modo de proceder* in 1641 at Saragossa. See Prescott, *loc. cit.*

*Catalonia.* Narciso de San Dionis, canon of Barcelona, wrote probably early in the fifteenth century *Compendium Constitutionum Cathalonie Generalium*. Unprinted, but exists in manuscript in Spain. See Capmany, *Práctica . . . de celebrar Cortes*, p. 2; and Antonio, *Biblioteca Hispana Vetus*, II. 374.

Jacobo Calicio, jurist and knight—*juez de greuges* in the Cortes of 1432—wrote *Extravagatorium Curiarum* (Barcelona, 1518). See Gallardo, *Ensayo de una Biblioteca*, etc., II. 188-189.

Tomás Mieres, a native of Gerona, councillor of Alfonso the Magnanimous, wrote about 1435 *Apparatus super Constitutionibus Curiarum Generalium Cathalonie* (2 vols., Barcelona, 1621).

Luis de Peguera, jurist, and *habilitador* in the Cortes of 1585 and 1599, wrote *Práctica, Forma y Stil de celebrar Cortes Generals en Catalunya* (Barcelona, 1632).

Gabriel Berart, d. 1640, jurist and royal official in Catalonia and Aragon, wrote *Speculum Visitationis* (published in 1600) and *Discurso . . . sobre la Celebracion de Cortes de los . . . Reynos de . . . Aragón* (1626).

Four other seventeenth-century writers may also be consulted with profit, viz., Antonio Oliva, *De Jure Fisci*; Acacio Ripoll, *Regalium Tractatus*; Juan Pedro Fontanella, *De Pactis Nuptialibus*; and Miguel Sarrovira, *Ceremonial de Cortes*, etc.

The bibliography at the beginning of Coroleu and Pella, *Cortes Catalanas* (Barcelona, 1876), gives more information concerning these writers.

*Valencia.* Pedro de Belluga, jurist and knight, d. 1468, wrote *Speculum Principum ac Justitiarum* (Paris, 1530). Cf. *Actas de las Cortes de Cataluña*, vol. I., pt. 1., *Prólogo*, p. xi.

Lorenzo Matheu y Sanz (1618-1680) of the Consejo Real, published at Madrid in 1677 *Tratado . . . de Cortes . . . de Valencia*. See Ximeno, *Escritores del Reyno de Valencia*, II. 85, and Fuster, *Biblioteca Valenciana*, I. 271.

Bartolomé Ribelles (1765-1816) wrote *Memorias Histórico-Críticas de las . . . Cortes . . . de Valencia* (Valencia, 1810). Cf. Fuster, II. 445-446.

Of the above works, Blancas, Martel, and Berart are in the Harvard College



last century and a quarter of Visigothic rule in the peninsula, and survived the shock of the Moorish invasion.<sup>2</sup> Soon after their reappearance in the Christian kingdoms of the north, however, the ecclesiastical functions of these councils began to pass to special assemblies of the clergy alone, so that the attributes of the older body were gradually restricted to temporal affairs.<sup>3</sup> The culmination of this secularization of the functions of the old Visigothic councils is reached in the course of the twelfth and thirteenth centuries, when the kings, discerning in the third estate the strongest possible sup-

Library, Fontanella in the Harvard Law School Library, Peguera in the Astor Library in New York, and Ripoll in the Library of the Hispanic Society. As far as I know the others are not to be found in this country. Summaries and excerpts from many of them are given in Capmany's *Práctica y Estilo de celebrar Cortes*, compiled at the instance of the Junta Central at Seville in September, 1809, and published at Madrid in 1821. Further information about these authors and their works may be gleaned from Antonio's *Biblioteca Hispana Vetust*, and *Biblioteca Hispana Nova*, Lipenius's *Biblioteca Realis Juridica*, and the *Diccionario Enciclopédico Hispano-Americano*.

Before going on to modern writers, passing mention should be made of Marina's *Teoría de las Cortes* (3 vols., Madrid, 1813) and Sempéré's *Histoire des Cortés d'Espagne* (Bordeaux, 1815). Both deal only with the Cortes of Castile, and are important rather as indicating the political ideas current at the time they were written than as pieces of historical research. As Marina's object was to justify historically the Cortes of 1812, and Sempéré's was to attack them, each book will be found a salutary corrective of the other.

Of more recent general works, Marichalar and Manrique's *Historia de la Legislación y Recitaciones del Derecho Civil de España* (9 vols., Madrid, 1861-1876) forms the basis for many later books. It seems on the whole trustworthy, though the complete absence of references renders it difficult, if not impossible, to verify its statements. Many pages of Danvila's well-known *Poder Civil en España* (6 vols., Madrid, 1885-1886) are taken exclusively from it. Antequera's *Historia de la Legislación Española* (fourth edition, Madrid, 1898) and the first two volumes of Altamira's epoch-marking *Historia de España* (4 vols., Barcelona, 1900-1910) are also valuable. Of the more special investigations, Colmeiro's Introduction (already mentioned) is of the first importance on the Castilian Cortes (all subsequent citations of Colmeiro except when otherwise specified refer to this work); a Russian monograph on the same topic by Vladimir Piskorski (*Kastil'skie Kortesy*, Kiev, 1897) adds little or nothing to Colmeiro as regards matter, though it contains a useful bibliography. Coroleu y Pella's *Cortes Catalanas* (Barcelona, 1876) is a valuable work; Don Vicente de la Fuente has an illuminating essay on the early Cortes of Aragon in his *Estudios Críticos sobre la Historia y el Derecho de Aragón* (Madrid, 1885); and Danvila's *Estudios Críticos acerca de las Cortes y Parlamentes de Valencia* (Madrid, 1906) contains valuable material on that topic. Other books will be cited when reference is made to them in the text.

<sup>2</sup> Cf. Colmeiro, I. 3 ff., 109 ff., and Danvila, *Poder Civil*, I. 84 ff., 157 ff. Antequera, pp. 75-76, 120, and Cavanilles, *Historia de España*, I. 271, are the only important authorities who distinctly deny the descent of the Cortes from the Councils of Toledo. On these councils see Dahn, *Könige der Germanen*, VI. 430-504; Pidal, *Historia del Gobierno y Legislación*, pp. 259 ff.; Pérez Pujol, *Instituciones . . . de la España Goda*, III. 285 ff.

<sup>3</sup> Colmeiro, I. 10; Altamira, I. 415.

port against the preponderant power of the nobles, began to summon the representatives of the municipalities to the national assembly—in Leon at least as early as 1188, in Castile probably not before 1250.<sup>4</sup> At the same time the name of the institution changed; the older title of *concilio* (and sometimes *curia*) disappeared and was replaced by that of Cortes, which, though sometimes loosely used to designate assemblies of the earlier sort, is in strict accuracy applied only to those bodies in which the third estate was present.<sup>5</sup> It may also be noted that after the final union of Castile and Leon under Saint Ferdinand (1230–1252) the custom of holding separate Cortes for each of the two kingdoms gradually fell into desuetude, and the practice of summoning a common assembly composed of the representatives of both came in to take its place.<sup>6</sup> For the purpose of the present inquiry, therefore, it will suffice to describe the united body.

In examining the composition of the Castilian Cortes in this period, it is of the utmost importance to note at the outset that in sharp contrast to the practice in the realms of the crown of Aragon, no one had a right to sit or be represented there.<sup>7</sup> The assembly being in theory at least a council of the king, summoned to aid him, was composed as the king desired, and varied from session to session accordingly. Neither all the same prelates nor all the same nobles were summoned to any two Cortes in this period, nor were the same towns ordered to send *procuradores*. The clergy were represented by archbishops, bishops, and the grand masters of the military orders selected by the monarch; custom indeed prescribed the presence of the Archbishop of Toledo and such of the higher clergy as

<sup>4</sup> Altamira, I. 415–416; Danvila, *Poder Civil*, I. 158–159; Colmeiro, I. 10–15, 142 ff., 153 ff.; also Colmeiro, *Reyes Cristianos desde Alonso VI. hasta Alfonso XI.* in the Academia's *Historia General de España*, I. 259–270; Diercks's *Geschichte Spaniens*, II. 164 ff. The statement in the *Crónica General de España* that *ciudadanos* were present at a so-called Cortes at Burgos in 1169 is not generally accepted to-day. The assembly at Najera in 1137 which is called a Cortes in the *Ordenamiento de Alcalá* (tit. xxxii., *Prol.*) and in the *Fuero Viejo de Castilla* (lib. I., tit. i., ley ii.) was apparently composed of nobles alone.

<sup>5</sup> Danvila, I. 160; *Catálogo*, pp. 1–8. Moreover, the name Cortes usually implied an assembly to which the nobles and clergy also came. Altamira, II. 74; *Cortes de León y de Castilla* (henceforth cited as *Cortes*), III. 21; *Nuev. Recop.*, lib. VI., tit. vii., ley ii. There were, however, several assemblies of the third estate alone during this period (*e. g.*, that of Medina del Campo in 1431; *cf.* *Catálogo*, pp. 54–55, and *Crónica de Juan II.*, año 1431, cap. xxviii. ff.) which took that name, so that the elimination of the two upper estates which culminated under Charles V. was not without medieval precedent.

<sup>6</sup> The first General Cortes of both realms were held at Seville in 1250; the last separate ones for each realm in the first half of the fourteenth century. *Cf.* Altamira, II. 74, and Colmeiro, I. 47.

<sup>7</sup> Altamira, II. 73; Colmeiro, I. 17.

were resident at court; but even these the king had the unquestioned right to omit to summon if he wished.<sup>8</sup> The representation of the nobles was similarly irregular and determined on each occasion by the royal will. Dukes, marquises, counts, viscounts, *caballeros*, *escuderos*, and *hidalgos* were all apparently eligible for summons to this estate, as were the great officers of the crown, and, after it had been definitely established in the latter part of the fourteenth century, the members of the royal council;<sup>9</sup> but the king selected whomsoever he pleased on each occasion. Subject-kings of the crown of Castile were also expected to attend or send representatives, when summoned; when the King of Granada acknowledged himself vassal of Ferdinand III., he promised to come to the Cortes with one of his *rico-hombres*, and the name of "Don Mahomat Abenazar, rey de Granada, vasallo del Rey", heads the list of those who confirmed the ordinances of Ferdinand IV. in the Cortes of Medina del Campo in 1305.<sup>10</sup> Attendance, when summoned, was absolutely obligatory in this estate; failure to appear, if not excused, was tantamount to a declaration of revolt.<sup>11</sup>

In theory, at least, the representation of the third estate was inseparably attached to the municipalities; but as the urban limits did not stop at the city walls, but included neighboring hamlets and isolated houses, the rural communities were not really excluded.<sup>12</sup> During this period, as with the other two estates, the king selected for summons on each occasion as many towns as he pleased, and whichever he pleased, but the tendency was steadily towards diminution. In the Cortes of Leon of 1188, of Seville in 1288, and of Alcalá in 1348, there is reason to think that all the towns in the realm were called on to send representatives.<sup>13</sup> In the Cortes of Madrid in 1391, forty-nine municipalities sent *procuradores*; in the reign of Ferdinand and Isabella the number was finally fixed at eighteen.<sup>14</sup> The causes which combined to bring about this decrease are too manifold to be considered here; they may be profitably compared to those which operated to bring about a similar result in contemporary England. It is worth mentioning, however, that the

<sup>8</sup> Colmeiro, I. 16-18. The abbots who had regularly attended in the days of the *concilios* began to drop out in the thirteenth century. Save in the exceptional Cortes of 1527, the last occasion on which they were present was the Cortes of Burgos of 1315.

<sup>9</sup> Colmeiro, I. 16-17; *Cortes*, II. 189, 314, III. 10.

<sup>10</sup> Colmeiro, I. 16; *Cortes*, I. 178.

<sup>11</sup> Colmeiro, I. 17; *Crónica de Pedro I.*, año II., cap. 11.

<sup>12</sup> Colmeiro, I. 18-19; *Cortes*, I. 45, 49; Lavissee and Rambaud, III. 483.

<sup>13</sup> Colmeiro, I. 19-20; *Crónica de Sancho Cuarto*, cap. 11.

<sup>14</sup> *Cortes*, II. 483-485, IV. 111; Pulgar, *Crónica*, II. xciv. Three other towns acquired representation in the seventeenth century. Cf. Colmeiro, I. 23 ff.

blame for this unfortunate development is to be laid less at the door of the kings than of the towns themselves, which not only lost their early privileges by failing to insist on their observance, but also actually labored, in a spirit of local antagonism, eminently characteristic of Spain, to exclude one another from the right of representation.<sup>15</sup>

The number of representatives or *procuradores*<sup>16</sup> each town could send varied, until it was fixed at two by a law of John II. at the request of the Cortes of Madrid of 1429-1430.<sup>17</sup> Another law of the same period specifies that the *procuradores* must be *personas honradas*, and not *labradores* or *sesmeros*.<sup>18</sup> The method of choice of the *procuradores* varied according to the *fuero* or charter of the town that sent them, and for the most part in general consonance with the methods of selection of the local municipal officers. Usually it was determined by lot (*insaculación*); sometimes by election by a more or less restricted number of inhabitants; sometimes by a system by which certain leading citizens served in turn; sometimes by a combination of these methods.<sup>19</sup> Whatever the local practice, it seems clear that up to the second quarter of the fifteenth century the choices were fairly made, without royal interference; but it is equally obvious that from the beginning of the dictatorship of Alvaro de Luna to the accession of Ferdinand and Isabella there were increasingly scandalous corruption and intimidation by the crown and the magnates, until in the reign of Henry the Impotent the king on several occasions actually gave away outright the privilege of representing this or that town without even going through the farce of observance of constituted forms.<sup>20</sup> Under the Catholic Kings there is a temporary cessation of these evils, but they begin again and reach their climax under the House of Hapsburg.<sup>21</sup>

Every city represented in Cortes gave its *procuradores* credentials and letters of instruction and guidance, or *poderes*, as they were called. They were carefully worded and the *procuradores* were forbidden to deviate from them in the slightest degree.<sup>22</sup> If some unexpected question arose in the Cortes, the *procuradores* usually consulted their constituents before giving their votes, and

<sup>15</sup> Colmeiro, I. 27-28; *Cortes*, III. 782-785, IV. 233, 239.

<sup>16</sup> On the use of this name see Colmeiro, I. 28, 203; *Cortes*, I. 170.

<sup>17</sup> *Cortes*, II. 483-485, III. 85; *Nuev. Recop.*, lib. VI., tit. VII., ley IV.

<sup>18</sup> *Nuev. Recop.*, lib. VI., tit. VII., ley IV.

<sup>19</sup> Marina, I. xx; Colmeiro, I. 29-30, 33-34; Muñoz y Romero, *Fueros Municipales*, *passim*.

<sup>20</sup> Colmeiro, I. 30 ff.; *Nuev. Recop.*, lib. VI., tit. VII., leyes V. and VII.; *Cortes*, III. 85, 101, 135, 270, 407, 569, 715.

<sup>21</sup> Sandoval, *Carlos V.*, lib. III., section L.; lib. V., section XIII.

<sup>22</sup> Colmeiro, I. 37-41; *Cortes*, III. 642.



they attempted, though unsuccessfully, to wrest from the king the right of interpretation of the *poderes* in case there was some doubt as to their meaning.<sup>23</sup> Until the character of these *poderes* was modified by the monarchs of the House of Hapsburg, their comprehensiveness and definiteness, and the strictness with which they were obeyed, constituted one of the most important safeguards of Castilian parliamentary liberty. The salaries and journey money of the *procuradores* were paid by the towns that sent them, up to the latter part of the fourteenth century.<sup>24</sup> Under John II. the custom of the king's paying the salaries began,<sup>25</sup> but was supplanted in turn in the sixteenth century by the practice of the Cortes's regularly adding a fixed sum to the *servicio*, "para gastos de Cortes"—a grant which, as experience was to prove, seldom reached its intended destination.<sup>26</sup>

The right to summon the Cortes was inherent in the crown, an inalienable royal prerogative; in case the king was absent, ill, or under age, it was exercised by his representatives in his name and not of their own right.<sup>27</sup> Time and place of meeting were left absolutely to the royal discretion; there was no rule as to the frequency of sessions, or the size, locality, or importance of the place where they occurred; on one occasion the Castilian Cortes met at Bubierca in Aragon.<sup>28</sup> At the opening session, which was attended by the king and all three estates, the first business was the presentation of the *poderes* by the *procuradores*. Then followed the speech from the throne, in which the purposes of the meeting were set forth, and formal replies were made by each estate; the head of the House of Lara answering first, for the nobles; the Archbishop of Toledo, next, for the clergy; and finally the city of Burgos for the third estate.<sup>29</sup> These formal proceedings over, the estates usually

<sup>23</sup> *Crónica del Rey Juan II.*, año 1430, cap. III.; *Cortes*, III. 407-408.

<sup>24</sup> *Cortes*, II. 140.

<sup>25</sup> *Crónica de Juan II.*, año 1422, cap. xx.

<sup>26</sup> *Cortes*, IV. 259; *Actas de las Cortes de Castilla*, published by the Congreso de los Diputados (cited henceforth as *Actas*), I. 54, III. 82, 140, 145, 272, 299, 438, IV. 88, 107, 236, 381, VI. 306, 315, 319, 653, 719, VII. 47, VIII. 106, 134, 351, 653.

<sup>27</sup> Colmeiro, I. 45-48.

<sup>28</sup> *Ibid.*, and *Crónica de Pedro I.*, año XIV., cap. III.

<sup>29</sup> Colmeiro, I. 52-55. Burgos, however, was unable to assert this privilege without a long and bitter struggle with Toledo, utterly characteristic of the intensely local nature of Spanish pride and patriotism. It lasted from 1348 till 1570; in 1402 the disputants almost assaulted each other; on another occasion the king was obliged to intervene and forcibly eject the two Toledans who had pre-empted the places of Burgos; in 1506 "they all arose and shouted at one another so loud that not a word could be understood." The matter was really settled each time by a compromise. *Crónica de Pedro I.*, año II., cap. xvi.; *Crónica de Juan II.*, año 1406, cap. v.; Marina, I. 258-271; *Actas*, I. 32, III. 24.

separated for deliberation, but communicated with one another by messengers. Of the nature of the debates it is almost impossible to learn anything, but we may safely conjecture that it was very quiet and probably ineffective and disorganized.<sup>30</sup> The session lasted till the business was done, but there is no record during this period of prolonged meetings such as took place in the time of Philip II. Lastly occurred the presentation of petitions by the estates to the crown. There was apparently no final meeting of the king and the three estates for formal ratification of what had been done, comparable to the *solio* of the Cortes of Aragon.<sup>31</sup> The estates usually separated without any guarantees that their wishes would be respected, though it was the usual custom for the government to send back to the cities, and sometimes to the bishops and nobles, full copies of the *cuadernos*, or lists of petitions with the royal answers.<sup>32</sup>

Parliamentary privilege in the Castilian Cortes stood very high. In 1302 and 1305 complete security and freedom from arrest and seizure of property were promised the *procuradores* during sessions of the Cortes and while they came and went; and in 1351 this promise was confirmed, save in a few exceptional cases, though subsequent petitions would seem to indicate that the rule was not always enforced.<sup>33</sup> By an ordinance of 1379, the *procuradores* were granted the same entertainment which Las Siete Partidas accorded the king and his immediate followers—a privilege which, again, was by no means invariably realized in fact.<sup>34</sup> There was apparently no restriction whatever on freedom of speech during sessions up to the famous case of Dr. Zumel under Charles V.<sup>35</sup> The sole occasion earlier than this on which the king attempted in any way to rebuke or punish a *procurador* was that of Mosen Diego de Valera, who wrote a most insolent letter to John II., “on account of which he was in great peril and it was ordered that nothing which was due him from the king should be paid him, not even his wages”, but this was for an act done outside the Cortes, not a part of his official functions.<sup>36</sup>

The powers of the Castilian Cortes in this period may be classified under three heads—financial, legislative, and miscellaneous.

<sup>30</sup> Cf. here Mariéjol, *L'Espagne sous Ferdinand et Isabelle*, p. 141.

<sup>31</sup> M. J. Gounon-Loubens, *Essais sur l'Administration de la Castille*, pp. 108-109; Marina, I. 304-311.

<sup>32</sup> Cortes, I. 476; Colmeiro, I. 91.

<sup>33</sup> Cortes, I. 163, 180; II. 20, 62, 541.

<sup>34</sup> Partidas, part II., tit. IX., ley xv.; Cortes, II. 287-288, IV. 425; Colmeiro, I. 90.

<sup>35</sup> Sandoval, lib. III., sections VII.-X.

<sup>36</sup> Colmeiro, I. 96; *Crónica de Juan II.*, año 1448, cap. iv.

From at least as early as the middle of the thirteenth century, it was a recognized custom that when the king desired an extra grant or *servicio* over and above what came to him regularly, of his own right, he must ask it of the national assembly.<sup>37</sup> In 1307 this custom passed into written law and was confirmed as such in 1329, 1391, 1393, 1420, and afterwards.<sup>38</sup> Moreover, at the close of the fourteenth century, when the Cortes were at the height of their power, this important privilege was buttressed and fortified by several temporarily successful demands for an audit, and occasional insistence on a reduction of the sums the king required.<sup>39</sup> Three times, at least, the Cortes even secured a partial right of appropriation of the sums they voted, and once they forced the king to deposit their grant with two persons with the stipulation that nothing should be taken from them save for the Moorish war, for which it had been given.<sup>40</sup> This seemingly impregnable financial position, however, was seriously weakened in two different ways. First, the fact that the nobles and clergy were generally exempt from taxation (despite several attempts to subject them to it) left the *procuradores* to bear alone the brunt of every financial struggle against the crown, so that they usually submitted tamely to the royal demands as the records plainly show.<sup>41</sup> Second, by utilization of loans, invention of new imposts, and above all by perpetually postponing the definite settlement of the difficult question as to whether or not certain taxes (especially the blighting *alcabala*) could be levied without the consent of the national assembly, the crown was able to gain alternative means of supply and thus circumvent the opposition which it might occasionally be unable to overthrow.<sup>42</sup> Their failure to make the most of their financial rights cost the Castilian Cortes dear in other directions, as the sequel will show.

The share of the Castilian Cortes in legislation rested on a somewhat different basis. The power to make laws resided exclusively

<sup>37</sup> Colmeiro, I. 72.

<sup>38</sup> *Cortes*, I. 187, 428, II. 489, 527, III. 23-25, 29, IV. 378; Altamira, II. 73, says that in 1328 it was ordained that unanimity of all the *procuradores* was necessary to the voting of the *servicio*, a statement possibly based on the Madrid copy of the *cuaderno* of the Cortes of 1329, which contains the phrase "otorgados por todos los procuradores". *Cortes*, I. 428 n., 401 n.

<sup>39</sup> *Cortes*, II. 408; Colmeiro, I. 77; *Crónica de Juan II.*, año 1406, caps. XI.-XII.

<sup>40</sup> *Cortes*, III. 6, 7; *Crónica de Juan II.*, año 1407, cap. XII., año 1411, cap. VI., año 1418, cap. VIII., año 1425, cap. X.

<sup>41</sup> Colmeiro, I. 79-80, 84-85; *Cortes*, II. 402, 408; *Crónica de Juan II.*, año 1406, cap. XIII.

<sup>42</sup> *Cortes*, II. 257, 489, 527, III. 97; *Crónica de Juan I.*, año X., cap. III.; will of Isabella the Catholic in Dormer, *Discursos Varios*, pp. 382-383; Colmeiro, I. 79 ff.

in the crown, despite the statements of Marina and other enthusiastic *doceañistas* to the contrary.<sup>43</sup> For the revocation of a valid law the consent of the Cortes was necessary, according to an ordinance of 1387, but it is by no means clear that this enactment was rigidly enforced during this period; certainly it was not in the sixteenth century.<sup>44</sup> The most important part of the Cortes's share in legislation, however, lay not here, but in their right to draw up a set of petitions to the crown, which if accepted became the law of the land. This practice, begun in 1293, became fixed in 1317, and was utilized sometimes by the nobles and clergy, though most frequently, of course, by the third estate.<sup>45</sup> The petitions range over the very widest diversity of topics—administration of justice, measures of police and public safety, dealings with Moors and Jews, granting of letters of naturalization, standards of weights and measures, *barragania*, or licensed concubinage of the clergy, etc.; some were of general, some of local, import.<sup>46</sup> Though the Cortes had no means of enforcing their observance they were often accepted and acted upon. That the Castilian assembly was unable to turn this right of petition into a right of legislation (like the English Parliament at this period), was due to its ineffective procedure, its failure to make redress precede supply,<sup>47</sup> and to the general lack of co-operation and of political opportunism which characterized its members.

Though based on royal promises and valid ordinances, most of the powers of the Castilian Cortes not included under legislation or finance were really only exercised according to the discretion of the crown. Such was the case in respect to their control of foreign policy,<sup>48</sup> and the provision that they must be consulted in matters of importance to the well-being of the realm.<sup>49</sup> Their share in the recognition of a new sovereign, however, demands more careful definition. Dr. Zumel in the sixteenth century and Marina in the nineteenth were totally wrong in implying that the validity of a king's accession depended on his recognition by the Cortes, and his swearing to observe the established laws in their presence. It was customary,

<sup>43</sup> *Partidas*, part I., tit. I., ley XII.; *Ord. de Alcalá*, tit. xxviii., ley I.; *Cortes*, I. 542, II. 299, 314, 362-378, 449-450, 471; Colmeiro, I. 66 ff.

<sup>44</sup> *Cortes*, II. 371-372; cf. also *ibid.*, III. 406-407, and Colmeiro, I. 68.

<sup>45</sup> *Cortes*, I. 106 ff., 299 ff. Hence the various *ordenamientos de prelados and hidalgos*, e. g., in 1295, 1315, 1351, 1390, etc.

<sup>46</sup> *Cortes*, I. 145, 179, II. 14, 249, 303, III. 389-390, 496; Altamira, II. 71-72.

<sup>47</sup> Cf. *Cortes*, III. 496; and the unfulfilled law, *Nuev. Recop.*, lib. VI., tit. vii., ley viii.

<sup>48</sup> *Cortes*, I. 40, III. 809-810; *Crónica de Juan II.*, año 1429, cap. iii., año 1431, cap. xxv., año 1437, cap. vi.; Colmeiro, I. 57 ff.

<sup>49</sup> *Cortes*, III. 21; *Nuev. Recop.*, lib. VI., tit. vii., ley ii.



indeed, for the national assembly to meet when a king died, to swear to the heir and receive his oath, but this was by no means indispensable to the making of a new monarch.<sup>50</sup> In the case of the accession of a king under age the powers of the Cortes were somewhat more extensive and included considerable influence in the nomination of regents and their exercise of power; and they usually recognized the heir to the throne during the lifetime of his predecessor, and were empowered to accept royal abdications.<sup>51</sup>

Allowing for all limitations, the composition and powers of the Castilian Cortes in the fourteenth and fifteenth centuries indicate, in theory at least, a very high degree of parliamentary development for that period, though far less than the Cortes of the eastern kingdoms, as the sequel will show.

The realms of the crown of Aragon had reached a far more advanced stage of political development than had Castile, in the period with which this essay deals. United under a series of really remarkable monarchs with an active foreign policy, a patriotic aristocracy and third estate prevented healthy centralization from degenerating into harmful despotism. The Cortes of the eastern kingdoms clearly reflect these characteristics: they were much more like the assemblies of modern constitutional monarchies than were the Cortes of Castile, especially in that they realized in fact a far larger proportion of the rights and privileges that they claimed in theory than did the latter. Owing to lack of space it will be impossible to attempt any detailed description of the Cortes of Aragon, Catalonia, and Valencia; I shall merely endeavor to enumerate the principal features that differentiate them from those of Castile and from one another. For the same reason I have omitted any mention of the General Cortes of the three kingdoms, especially since these were, to all intents and purposes, merely a juxtaposition of the Cortes of each separate realm.<sup>52</sup>

#### ARAGON.

The origin of the Cortes of Aragon is even more difficult to trace than that of the Cortes of Castile; there is little evidence to connect

<sup>50</sup> On this cf. Colmeiro, I. 59 ff.; *Partidas*, part II., tit. XIII., leyes XIX. ff.; *Cortes*, III. 1; Marina, II. 24 ff., 47 ff.; *Crónica de Pedro I.*, año II., cap. XII. There are several instances of royal accessions without any celebration of the Cortes till long afterwards.

<sup>51</sup> Colmeiro, I. 60-63, 150-151; *Cortes*, I. 132; Altamira, I. 574. When Charles V. abdicated without consulting the Cortes he frankly recognized that he violated precedent. Sandoval, lib. XXXII., section xxxviii.

<sup>52</sup> Cf. here Mariéjol, *L'Espagne*, p. 145; Coroleu and Pella, pp. 99-103.

them with the ancient Visigothic *concilios*.<sup>53</sup> It is probable that the earlier writers have been mistaken in giving the name Cortes to the famous assembly at Jaca in 1071; certainly the third estate was not represented till 1134 at the earliest, probably not till 1163, and possibly not till the thirteenth century.<sup>54</sup> Apparently the clergy were unaccountably slow in asserting their right to sit in the national assembly. They sent two representatives in 1247 and again in 1265, but according to Blancas were not really admitted as an estate of the realm till 1301.<sup>55</sup> We can scarcely regard the Aragonese Cortes as completely organized till the beginning of the fourteenth century.

Three distinguishing features of their composition deserve to be mentioned, in all of which they contrast sharply with the Cortes of Castile. In the first place, the Aragonese aristocracy, the most ancient and powerful estate of the realm, was divided, according to degree, into two categories, which sat in two separate houses—the *brazo noble* and the *brazo de caballeros*—so that the Cortes of this kingdom was composed of four estates instead of three.<sup>56</sup> Second, the *ricos-hombres* (or members of the *brazo noble*) and *caballeros* had the right to attend the Cortes, even though not summoned by the king, provided they could prove their rank and lineage, and show that they held no municipal office enabling them to vote for *procuradores* of the third estate, and so to obtain double representation; and cities and towns which could show that they had been summoned once to send representatives continued to enjoy that privilege. The membership of the clerical estate was also pretty definitely fixed by the beginning of the fourteenth century, so that the composition of the Aragonese Cortes as a whole was by no means as largely controlled by the crown as was that of the Cortes of Castile.<sup>57</sup> Members of the clerical estate and of the *brazo noble*, moreover, enjoyed the right to send to the Cortes *procuradores* or substitutes in their places, and this privilege extended to *ricos-hombres* who were under age, and occasionally to women of high rank; the *caballeros*, on the other hand, were always obliged to attend in person.<sup>58</sup> Third, the Justicia of Aragon was “Juez de las Cortes”, and his presence, or

<sup>53</sup> Marichalar and Manrique (cited hereafter as “M. and M.”), VI. 165 ff.; V. Lafuente, *Las Primeras Cortes de Aragón*, in *Obras*, II. 14–76.

<sup>54</sup> *Ibid.*, and Bofarull, *Documentos Inéditos*, I.–VIII., *passim*; Zurita, *Anales*, lib. I., cap. LIII., lib. II., cap. xxiv.; Danvila, *Poder Civil*, I. 328; and Danvila, *Valencia*, p. 274; Altamira, I. 456; Swift, *James the First of Aragon*, pp. 160 ff.; Diercks, II. 164 ff. An accurate and final settlement of the date of the advent of the third estate would be of importance as determining the question of priority between Aragon and Castile.

<sup>55</sup> Blancas, *Modo de proceder*, cap. vi.; M. and M., VI. 170.

<sup>56</sup> Blancas, *ibid.*; Martel, *Forma de celebrar*, caps. x., xvi.

<sup>57</sup> *Ibid.*; and M. and M., VI. 170–178.

<sup>58</sup> M. and M., VI. 174–175; Martel, caps. xviii.–xxi.

that of one of his lieutenants, was necessary for the meeting of the assembly.<sup>59</sup>

The king alone could summon the Cortes, and his presence was a *sine qua non* of their opening and celebration; if he deputed this function to another, the Cortes had to sanction it every time.<sup>60</sup> They must meet in Aragon, in a place of at least 400 houses and on royal domain.<sup>61</sup> Clauses demanding annual Cortes in the General Privilege of 1283 and in the Privilege of Union in 1287 apparently were superseded in 1307 by a law providing for meetings of the Cortes once in two years; neither of these requirements, however, was observed in practice.<sup>62</sup> The forms, ceremonies, and order of seating in the opening session were carefully and minutely regulated.<sup>63</sup> Particularly noteworthy was the complicated arrangement for three prorogations of four days each in order to give tardy members a chance to arrive; and in case of their failure to do so after the expiration of twelve days, the formal pronouncement of their contumacy by the Justicia.<sup>64</sup> When the estates separated for the transaction of business, each one of them proceeded to elect *habilitadores* (four for the *caballeros* and two from each of the other *brazos*), whose duty it was to examine the summons, *poderes*, and proofs of qualification to sit of every member of the estate in question.<sup>65</sup> This process of *habilitacion* was very strictly carried out: the slightest deviation from the established rule excluded. Appeal from the sentence of the *habilitadores* lay to the Justicia, who took the matter before the full Cortes.<sup>66</sup> After 1436 it was customary for each estate to nominate *promovedores* to regulate and propound business, and from a much earlier date *tratadores* to deal with the other estates and the king, who also named *tratadores* of his own.<sup>67</sup> In theory absolute unanimity of every member of each *brazo* was required on every measure, a fact which has caused some writers to exclaim that the passage of every law was a miracle in Aragon.<sup>68</sup>

<sup>59</sup> Martel, cap. xxxvii. On the Justicia see M. and M., VI. 265-398; J. Ribera, *Orígenes del Justicia de Aragón*, and articles by A. G. Soler in *Revista de Archivos, Bibliotecas y Museos* (tercera época), V. 201 ff., 454 ff., 625 ff.

<sup>60</sup> Martel, caps. v. and vi.; Blancas, cap. iii.

<sup>61</sup> Martel, cap. vii.; Blancas, cap. iv.

<sup>62</sup> *Fueros de Aragon*, I. 6; M. and M., VI. 203. See also the list of Cortes in the *Catálogo* and in Antequera, pp. 631-632. The text of the General Privilege is to be found in the *Fueros de Aragón*, I. 6-9, and that of the Privilege of Union in M. and M., V. 34-40.

<sup>63</sup> Martel, caps. xxx. ff.; Blancas, caps. viii.-x.; Berart, cap. iii.

<sup>64</sup> Martel, caps. xxxiii. and xxxiv.

<sup>65</sup> Martel, caps. xlii. and xliii.; Blancas, cap. xvi.; Berart, cap. vi.

<sup>66</sup> M. and M., VI. 213-214.

<sup>67</sup> Martel, caps. xlv.-l.; M. and M., VI. 214-216.

<sup>68</sup> Danvila, *Poder Civil*, I. 330.

Practically, however, it would seem that a great many pieces of business were decided by majority vote, and moreover the practice of nominating by majority vote a committee of four or more members for each *brazo*, with full powers to transact business, often rendered the provision requiring unanimity quite nugatory.<sup>69</sup>

Last of all came the *solio* or formal meeting of king and estates, in which all the measures of the session were solemnly proclaimed and sworn to—an admirable means of preventing the sovereign from ignoring those doings of the assembly which were not to his liking.<sup>70</sup> And as a final method to secure this end, a committee of the estates, or Diputacion del Reyno, usually composed of two members of each *brazo*, was chosen to remain in session during intervals between sessions, to watch over the observance of the laws, and report to the Cortes any infraction of them. A full account of the duties and powers of this body will be found in the Fueros of Aragon; they may perhaps be summarized under three heads: (1) to oversee the administration of the public revenue (not the *patrimonio real*); (2) to deal with all infractions of the *fueros* by public officials or private persons; (3) to keep the peace, in company with the Justicia of Aragon.<sup>71</sup>

The powers of the Aragonese Cortes may be briefly stated as follows. Their consent was absolutely necessary to the passing of all laws—the king, unlike the Castilian monarch, could not legislate without them.<sup>72</sup> By them alone could an extra grant, over and above what came to the king in his own right, be made;<sup>73</sup> without their consent no new tribute or duty could be imposed, nor the rate of an old one diminished or increased.<sup>74</sup> The Cortes received the oath of a new king to observe the laws, and recognized him as monarch; they alone could grant letters of naturalization; truces, peaces, and declarations of war were usually ratified by them; occasionally they confirmed and even nominated ambassadors.<sup>75</sup> Though the

<sup>69</sup> Such is the theory of M. and M., VI. 217–220. Apparently in case such committees were appointed, the *procuradores* of Saragossa invariably constituted one-half of that of the third estate, so that no measure could be adopted on such occasions without the consent of the capital of the realm.

<sup>70</sup> Martel, cap. LXXVIII.; M. and M., VI. 222.

<sup>71</sup> *Fueros de Aragón*, I. 26, 46, 66, 72, 75, 107, 213–215, 221, 223–225, 236, 242, 244, 265–266, 268–270, 284.

<sup>72</sup> Blancas, cap. XIX.; Berart, fols. 20 ff.; M. and M., VI. 186–187. Hence the formula which usually precedes the Aragonese laws: “El señor Rey de voluntad de la Corte estatuesce y ordena.” Cf. *Fueros de Aragón*, *passim*.

<sup>73</sup> Blancas, cap. XVIII.; Martel, cap. LXXI.; Berart, fol. 33; M. and M., VI. 189 ff.

<sup>74</sup> *Fueros de Aragón*, II., Actas de Cortes, pp. 10 ff.; Zurita, lib. IV., cap. XXXVIII.; Martel, caps. LXXII.–LXXV.; Berart, fols. 33–37; M. and M., VI. 190.

<sup>75</sup> M. and M., VI. 188–189, 195; Lea, *Inquisition*, I. 229; Balaguer, *Obras*, VII. 120–123.



power over the appointment of the chief officers of state granted them in the Privilege of Union would seem to have lapsed with the abolition of that Privilege in 1348, there are subsequent cases where such a power was claimed and exercised.<sup>76</sup> Up to 1461 the Cortes were charged with the *residencia* of the Justicia, and up to 1348 they heard many of the disputes between king and subjects, which at that date were transferred to that tribunal.<sup>77</sup> Finally they had a most extensive power of investigating, in conjunction with the Justicia, *greuges*, or wrongs done by the king, his officers, or the estates, to one another, to individuals, or groups of individuals of whatever rank, or vice versa, in defiance of the laws, and of demanding that justice be done.<sup>78</sup> The procedure and other powers of the Cortes were such as ensured attention to these demands.

#### CATALONIA.

It seems probable that the Cortes of Catalonia developed gradually out of the assembly of the feudatories of the Counts of Barcelona. The date of the advent in them of the third estate is a matter of dispute,<sup>79</sup> but for the purpose of the present article it will suffice to begin with the year 1283, when as an echo of the issue of the struggle over the General Privilege in Aragon, Pedro III. was obliged to promise to summon once a year in Catalonia an assembly of nobles, clergy, and third estate to discuss the welfare of the realm, unless hindered by some good and sufficient cause.<sup>80</sup> There were but three *braços* in the Catalonian Cortes; several attempts were indeed made in the late fourteenth and early fifteenth centuries to create a "*Braç dels cavallers generosos é homens de paratge*" on the model of the *brazo de caballeros* of the Cortes of Aragon, but they never met with any permanent success.<sup>81</sup> About a dozen towns and cities were

<sup>76</sup> Zurita, lib. X., caps. xxxiv. and xliii.; M. and M., V. 38, VI. 194.

<sup>77</sup> M. and M., VI. 195-196.

<sup>78</sup> Martel, caps. liv.-lix.; Blancas, cap. xiv.; Berart, fol. 27.

<sup>79</sup> On this see *Cortes de Cataluña*, vol. I., pt. 1., pp. 3 ff.; M. and M., VI. 509-510, VII. 196-220; Coroleu and Pella, cap. 1.; Danvila, *Poder Civil*, I. 259; Danvila, *Valencia*, p. 275; Altamira, I. 469; Altamira, in *Revue Historique*, LXXIV. 143; Fidel Fita in *Boletín de la Real Academia de Historia*, XVII. 385-428; Balaguer, *Historia de Cataluña*, lib. III., cap. x. The assembly of 1064, which approved and promulgated the *Usajes*, was probably the first assembly in Spain of a legislative character, and dealing with political affairs, composed exclusively of secular persons; but the evidence of the presence of the third estate is slight. It is safe to say that the representatives of the municipalities did not enter the Catalonian Cortes till the early thirteenth century, and that their rights there were not definitely recognized till 1283.

<sup>80</sup> *Cortes de Cataluña*, vol. I., pt. 1., p. 147.

<sup>81</sup> *Cortes de Cataluña*, VII. 46 ff.; M. and M., VII. 198-199; Coroleu and Pella, pp. 58-59.

usually represented in the third estate;<sup>82</sup> most of them sent one *procurador* or *sindico*, several sent two, but Barcelona sent five and sometimes more. Apparently each town had but one vote, irrespective of the number of its representatives,<sup>83</sup> but Barcelona's predominance was perfectly obvious and deeply resented.<sup>84</sup> The method of selection of the municipal representatives varied in this period according to local custom—not until the reign of Ferdinand and Isabella did *insaculación* become the regular practice.<sup>85</sup> Full and definite instructions were given to the *síndicos* by the Concejo of the municipality they represented (in Barcelona this function was performed by the Vintiquatrena de Cort—a most interesting body—a sort of permanent commission of the Concejo, selected for the special purpose of supervising and counselling the *síndicos*, even down to the minutest details of their private life).<sup>86</sup> Neglect of these instructions might subject the delinquents to the censures of the Church or even to a revocation of their powers.<sup>87</sup> The crown selected the day and place of meeting; the latter must be in Catalonia and a town of at least two hundred houses.<sup>88</sup> In 1301 the law demanding annual Cortes was changed to a provision for triennial ones, but the records show that even this was not always observed.<sup>89</sup>

Perhaps the most striking feature of the intensely formal and rigid procedure of the Catalanian Cortes was the complicated ceremony of the *habilitación*. No less than thirty-six rules were laid down concerning the qualifications of members.<sup>90</sup> Unanimity of votes, obligatory in all four estates in Aragon, was restricted here to the nobles.<sup>91</sup> There was, of course, no Justicia. At the concluding session or *solio*, which resembled that of Aragon, the sovereign was obliged to swear to the measures which the Cortes had passed, before he was granted the *donativo*.<sup>92</sup> From the end of the fourteenth century a Diputación General of six persons, one from

<sup>82</sup> *Cortes de Cataluña, passim*. A list of the towns which had sent representatives to the Cortes of Aragon, Catalonia, and Valencia before 1700 is to be found in Capmany, pp. 4-5.

<sup>83</sup> See Peguera in Capmany, p. 66; M. and M., VII. 201, 211-212; and Coroleu and Pella, p. 61; but see also Altamira, I. 469.

<sup>84</sup> *Cortes de Cataluña*, VII. 46 ff.

<sup>85</sup> Coroleu and Pella, pp. 69-83.

<sup>86</sup> *Ibid.*, pp. 84-86.

<sup>87</sup> *Ibid.*, pp. 86-94.

<sup>88</sup> *Ibid.*, pp. 33-37.

<sup>89</sup> *Cortes de Cataluña*, vol. I., pt. 1., pp. 185-186, and *passim*; M. and M., VII. 204. See also list of Cortes in the *Catálogo* and in Antequera, pp. 632-633.

<sup>90</sup> M. and M., VII. 206-209; Coroleu and Pella, pp. 107-108.

<sup>91</sup> M. and M., VII. 211; Coroleu and Pella, pp. 116-131; Fontanella, vol. I., claus. III., gloss. III., sections 72 ff.

<sup>92</sup> M. and M., VII. 212-214; Coroleu and Pella, pp. 131-133.

each estate and three *oidores de cuentas*, with powers similar to the corresponding institution in Aragon, acted during the intervals between the sessions.<sup>93</sup>

The powers of the Catalanian Cortes were very extensive. To them a new monarch must swear to observe the laws and liberties of Catalonia before receiving their oath of fidelity.<sup>94</sup> The sovereign could not legislate, nor abrogate or suspend legislation without their consent, though he might issue ordinances in consonance with, or supplementary to, existing laws.<sup>95</sup> Their financial powers and those of the *Diputación General*—similar to those of the corresponding institutions in Aragon—were perhaps of greater importance, owing to the smallness of the private revenue of the crown, and they gave the Catalanian Cortes a great hold on the general administration and policy of the land.<sup>96</sup> Finally, through committees, they exercised wide powers of inspection and control over royal officers, over the interpretation and execution of the laws; and they presented *agrazios* or grievances for rectification.<sup>97</sup> Altogether the Cortes of Catalonia in this period resembled a modern legislative body perhaps more closely than any other in the peninsula; more powerful than those of Castile, they were free from most of the anomalies which occasionally crippled the efficiency of those of Aragon.<sup>98</sup>

#### VALENCIA.

The Cortes of Valencia possessed all, or nearly all, the distinctive features characteristic of the Cortes of the eastern kingdoms—extensive powers in legislation, administration, and finance, and an efficient method of procedure with *tratadores*, *solio*, and *Diputación del Reyno*. They resembled much more closely, however, the Cortes of Catalonia than those of Aragon. They were composed of three *brazos* instead of four, with unanimity obligatory only in the nobles; there was no Justicia; an unenforced law provided for a meeting every three years.<sup>99</sup> They date from the reign of James the Con-

<sup>93</sup> M. and M., VII. 386–388.

<sup>94</sup> *Ibid.*, VII. 215–216; Coroleu and Pella, pp. 16–18, 48 n., citing Calicio, Fontanella, Ripoll, and Berart.

<sup>95</sup> *Cortes de Cataluña*, vol. I., pt. I., p. 193; Fontanella, vol. I., claus. III., gloss. III., sections 67–70; M. and M., VII. 216–217; Coroleu and Pella, pp. 15–16, 18.

<sup>96</sup> Coroleu and Pella, pp. 114–115.

<sup>97</sup> *Cortes de Cataluña*, vol. I., pt. I., pp. 219 ff., 263–265; M. and M., VII. 217–218.

<sup>98</sup> Coroleu and Pella, pp. 137–158.

<sup>99</sup> Cf. Matheu y Sanz, Belluga, and Villaroya in Capmany, pp. 161–214; M. and M., VII. 453–454; Danvila, *Poder Civil*, I. 361–363.

queror, who drove the Moors out of Valencia, but, like the Cortes of Catalonia, they cannot be regarded as firmly established till the time of Pedro the Great and the General Privilege (1283).<sup>100</sup>

Two or three peculiarities remain to be noted. The preponderance of the city of Valencia in the third estate was far clearer than that of Barcelona in the Catalanian, or of Saragossa in the Aragonese, Cortes. It held no less than five votes, while the other cities held but one apiece, and it apparently claimed always to represent one-half the *brazo real*, no matter how many other cities sent delegates; this exaggerated pretension, however, was not made good.<sup>101</sup> Another interesting point is the privilege held by the Valencian estates of meeting separately without the royal summons, after the Cortes had been formally dissolved by the king, to deal with such matters as concerned each one and to present petitions to the crown. When they met in this way, they took the name of *estamentos*, instead of *brazos*.<sup>102</sup> According to Marichalar and Manrique, the third estate on these occasions was represented merely by the deputies of the city of Valencia, since the other towns of the realm were not allowed to send delegates without a summons from the crown.<sup>103</sup> Apparently the provision demanding unanimity in the nobles caused trouble again and again. As late as 1645, when there was a question of extending the session into the night in order to conclude some important piece of business, and over fifty nobles had agreed to do so, one member declined on the ground that he was tired and wanted to go to bed; on his refusal to yield to the representations of the rest, an old and irritable baron arose and demanded that "that idiot be thrown into the street". The irreconcilable was accordingly ejected from the room, and the session continued.<sup>104</sup>

#### NAVARRÉ.

The Cortes of Navarre in the fourteenth and fifteenth centuries were quite as much a French as a Spanish institution, for the country was ruled by French sovereigns during this period, and, despite the statements of the older historians to the contrary, it is by no means certain that there was anything which could be fairly called

<sup>100</sup> Danvila, *Valencia*, cap. VII., which corrects the *Catálogo*; Altamira, I. 478.

<sup>101</sup> Matheu y Sanz in Capmany, p. 185; M. and M., VII. 456; Danvila, *Valencia*, pp. 284-285. Cf. the position of Saragossa on committees of the third estate in Aragon.

<sup>102</sup> M. and M., VII. 456-457; Danvila, *Valencia*, p. 285.

<sup>103</sup> M. and M., VII. 457.

<sup>104</sup> *Ibid.*, VII. 455-456.



Cortes under the line of Spanish kings which ended in 1234.<sup>105</sup> Councils of magnates doubtless met, from the earliest times, and formed a background for a regular national assembly, but we may be certain that the third estate had no share in legislation till well into the fourteenth century, and that the beginning of the Cortes's financial power dates from the accession of the House of Évreux.<sup>106</sup> When once attained, however, the national assembly's control of the revenue was of the very greatest importance, and after the beginning of the fifteenth century included the very unusual right of voting regular as well as special taxes.<sup>107</sup> If this power had been properly used it would have placed the Navarrese Cortes in an almost impregnable position. Unfortunately, a total lack of effective procedure was enough to render nugatory this advantage. Castilian rather than Aragonese models were followed in this respect; and for a long time the vote of any two estates was enough to pass a measure without the consent of the third.<sup>108</sup> It is, however, worthy of note that Navarre managed to preserve its native institutions, though with some modifications, longer than any of the other kingdoms, the last session of the Navarrese Cortes being celebrated in 1828, more than a hundred years after the slovenly demise of the national assembly of Castile, and the forcible abolition of those of Aragon, Catalonia, and Valencia.<sup>109</sup>

The writer is painfully conscious that he has merely scratched the surface of a topic well worthy of several large volumes. As his excuse he must plead the present inaccessibility of important material and the limitations of space imposed by the stern decree of the editor of this REVIEW. But he has felt that it was worth while—even if it were only to indicate some of the authorities from which fuller information may be obtained—to draw the attention of historical students in this country to a field comparatively unexplored, and of the richest possibilities, and one some knowledge of which is absolutely indispensable to a thorough understanding of the work of Spain in the New World. Students of medieval institutions will

<sup>105</sup> On this topic *cf.* Ant. Chavier, *Fueros de Navarra* (Pamplona, 1686); Ilarregui and Lapuerta, *Fuero General de Navarra* (Pamplona, 1869); Joseph de Moret, *Annales and Investigaciones de Navarra* (7 vols., Pamplona, 1766); M. and M., IV. 399-423; Danvila, *Poder Civil*, I. 217-219; Altamira, I. 481; G. B. de Lagrèze, *La Navarre Française*, vol. II., ch. VII.

<sup>106</sup> *Fuero General de Navarra*, lib. III., tit. XXII., cap. 1.; M. and M., IV. 413-416.

<sup>107</sup> On the reasons for this *cf.* M. and M., IV. 416-419.

<sup>108</sup> *Ibid.*, pp. 419-423; Danvila, *Poder Civil*, I. 219-220.

<sup>109</sup> Antequera, p. 635.

find food for thought in carrying the comparison beyond the limits of the Iberian peninsula and noting the similarities and differences between the various Cortes and the English parliaments of the same period. Their investigations will probably lead them to the conclusion that, speaking broadly, the claim of the people to a share in the government was considerably more fully recognized, theoretically at least, in Spain than in England, at that stage of their development.

ROGER BIGELOW MERRIMAN.

## HORACE WALPOLE'S MEMOIRS OF THE REIGN OF GEORGE THE THIRD, II.

IN the first part of this article an attempt was made to show that Walpole's *Memoirs of George III.*, supposedly written between the years 1766 and 1772, give expression to a theory of the reign of George III. which is inconsistent with ideas expressed by the author in letters written between 1760 and 1772. It was discovered, further, that in 1775 Walpole "transcribed" at least a considerable portion of the *Memoirs*, and that in 1784 he inserted some new material in the fourth volume. And, finally, it was found that the insertions of 1784 expressed opinions in marked contrast with the opinions of the letters written before 1775, but identical with the opinions of the letters written after that date. A more difficult question now presents itself: to what extent were the first three volumes revised in 1784? Having answered this question, an effort will be made to estimate the general importance of the revision as a whole.

It will be remembered that the only precise references to a date subsequent to 1775, except in the foot-notes, occur in the fourth volume. It will also be remembered that the note in which Walpole says "as I transcribe these *Memoirs*—in June, 1775", is at page 24 of volume three. It might be assumed, therefore, that Walpole continued the "transcribing" until he reached the ministry of Lord North, and then laid the work aside because the American war was changing his opinion of Lord North, and because even the beginning of North's ministry could be treated satisfactorily only after the result of the quarrel with America was known. This assumption would explain why there is no reference to a date subsequent to 1775 in the first three volumes, which is a fact needing explanation if we suppose that the first three volumes, as well as the fourth, were revised in 1784. The difficulty with this hypothesis is that there are many passages in the first volume which, without specifically referring to dates or events subsequent to 1775, have all the other marks leading one to suppose that they were written in 1784 rather than at any earlier date. These passages are scattered throughout the first volume, and they embody opinions about Bute and the "Junto", the Scots and the Tories, the prerogative, Lord North, and the king, which we do not find Walpole giving expression to elsewhere until after 1775. Let us examine some of these passages.

The tone of much of the first volume is given at the outset. Two paragraphs are devoted to elaborating the statement that "No British monarch has ascended the throne with so many advantages as George the Third."<sup>1</sup> And yet, in spite of these advantages, "A passionate, domineering woman, and a Favourite, without talents, soon drew a cloud over this shining prospect. Without anticipating events too hastily, let it suffice to say that the measure of war was pushed, without even a desire that it should be successful; and that, although successful, it was unnaturally checked by a peace, too precipitate, too indigested, and too shameful, to merit the coldest eulogy of moderation."<sup>2</sup> At the time of the peace, as we have seen from the letters, Walpole was for peace at any price. To be sure, he did not vote for the peace. But neither did he vote against it. His reason for not voting at all was undoubtedly the fact that Fox tried to bribe him to vote with the government. Now, if Walpole wanted peace at any price, as the letters assert, this offer of a bribe put him in an impossible position: he wished to vote for the peace, but he wished also to show Fox that he could not be bribed; to leave the House before the vote was taken was the most natural escape from such a dilemma.<sup>3</sup> On the other hand, if Walpole believed, as he says in the *Memoirs*, that the peace was "too shameful to merit the coldest eulogy of moderation", there was every reason for voting against it; the offer of a bribe would be only an additional reason for doing just that thing. These events, it is true, occurred before Walpole began to write the *Memoirs*; but at no time from 1766 to 1772 does he express, in the letters, any pronounced opposition to the Peace of Paris. He says very little about it, indeed, until towards the close of the American war. Then, the prospect of another treaty with France, likely indeed to prove shameful, turned his attention to the last one, which now seemed shameful too. France "never wants a Lord Bolingbroke or a Lord Bute to negotiate for our shame", he writes in 1780.<sup>4</sup> And again, in 1783, he refers to "The Peace of Paris, more ignominious as the termination of a most triumphant war".<sup>5</sup>

<sup>1</sup> *Memoirs*, I. 3, 4.

<sup>2</sup> *Ibid.*, pp. 4, 5.

<sup>3</sup> Walpole explains his refusal to vote for or against the peace, in the *Memoirs*, thus: "Yet was I not so steeled by the glories of the war as to be insensible to the yearnings of humanity; and therefore, ignominious as the articles were, my conscience would not suffer me to speak against a treaty that would stop such effusion of blood." *Memoirs*, I. 167. The sentiments expressed in the letters (see first installment, January number, p. 262, n. 41) and Walpole's own account of Fox's attempt to bribe him (*Memoirs*, I. 168) make it impossible to accept this explanation as the true one.

<sup>4</sup> *Letters*, XI. 235.

<sup>5</sup> *Ibid.*, XII. 412.



It is in keeping with this attitude towards the Peace of Paris that Walpole takes pains in the *Memoirs* to justify Pitt in resigning in October, 1761, although in the letters he condemns him, and is merry and bitter by turns over the pension. In the letters we learn that the resignation is a fatal event. "Next to pitying our country . . . I feel for the young King. It is hard to have so bright a dawn so soon overcast!"<sup>6</sup> "It is a most unhappy event."<sup>7</sup> "You may see what a beneficial, what a splendid peace we might have had; you will not so easily find the reason why we rejected it."<sup>8</sup> The *Memoirs* read very differently. "His hands tied, the nation affronted, and duped by the partial breaking off of the treaty with France, no proper resentment permitted against Spain, Mr. Pitt found he could do no farther good. His character had been lost by acquiescence; and nothing could rouse the nation, but his quitting the sphere of business, where he was so treacherously controlled."<sup>9</sup> In the next chapter Walpole details the speeches in Parliament in the November following the resignation. Pitt's great speech is given at considerable length, and is characterized, at the close, as "guarded, artful, and inflammatory."<sup>10</sup> But at the close of the chapter there is a paragraph which reads like an apology for leaving with the reader what is perhaps an unfavorable impression of the Great Commoner. The tone of the paragraph is so in keeping with the tone of the letters of 1783-1784 that it may be worth while to quote it in full.

The recapitulation of many speeches may perhaps weary the reader, but, in equity, he must remember that at this period at least it was essential to detail them. When Mr. Pitt was driven from the management of the war, he existed as a public man; but in his speeches and past services, his own defence of his measures was necessary from his own mouth. Libels on libels were published against him, and he wrote none. I am sensible that I do not do justice to his arguments, and less to his eloquence; but what I give was faithfully taken from his own mouth in the House of Commons; and unless better transcripts appear, this rude sketch may be welcome to posterity. No flattery is intended to him. When I thought him blameable, I have marked it, as will appear hereafter, with the same impartiality. The debates, too, of a free nation, arrived at the summit of its glory, may be worthy the attention of future times. Our descendants will see what their ancestors were in arms and eloquence, and what liberty they enjoyed of discussing their own interests. Grant, Heaven, they may not read it with a sigh; reading it in bondage and ignominy!<sup>11</sup>

<sup>6</sup> *Letters*, V. 124.

<sup>7</sup> *Ibid.*, V. 125.

<sup>8</sup> *Ibid.*, V. 141. See also pp. 129, 131, 133, 135, 139, 141.

<sup>9</sup> *Memoirs*, I. 62.

<sup>10</sup> *Ibid.*, p. 77.

<sup>11</sup> *Ibid.*, p. 83.

The shameful peace and the reverses of Pitt were due, Walpole gives us to understand, to Lord Bute and his tools, the Scots and the Tories. These constituted the "Junto" which, through the princess, exercised a controlling influence in the government.<sup>12</sup> And the settled purpose of the Junto was to restore the prerogative. "The King *would* be King", it was publicly asserted. "The prerogative was to shine out";<sup>13</sup> "The views of the Court were so fully manifested afterwards, that no doubt can be entertained but a plan had been early formed of carrying the prerogative to very unusual heights."<sup>14</sup> "The Tories . . . came to Court . . . but they came with all their old prejudices. They abjured their ancient master, but retained their principles; . . . *Prerogative* became a fashionable word; and the language of the times was altered before the Favourite dared to make any variation in the Ministry."<sup>15</sup> The influence of the Junto did not end with Lord Bute's ministry, for, as Bute himself said, "whatever the ministers might think, they should find he himself was minister still." And Walpole adds, "A memorable sentence, confirmed by facts, and of which the contrary assertion was vainly attempted afterwards to be imposed upon the world."<sup>16</sup> Lord North, too, instead of the "honest" and "moderate" man of the letters, is a tool of the Junto. "Lord North was the chief manager for the Court . . . his coarse figure, and rude untempered style, contributed to make the cause into which he had unnecessarily thrust himself appear still more odious."<sup>17</sup>

This attitude, which pervades the first volume, is not at all what one expects after reading the letters of the period when the first draft was composed. There is reason, as will be seen presently, for supposing that in the original draft Walpole was mainly intent on detailing the events of the period covered by the second and third volumes, which was the period in which he was himself active in politics, and that the events of the period covered by the first volume were briefly sketched as a kind of introduction. Whether this assumption is tenable or not, but especially if it is tenable, we should expect to find in the first volume less emphasis on the Junto and Lord Bute and more on the "Cabal" and Grenville, because after 1763 it was never Bute so much as Grenville whom Walpole disliked and feared: it was Grenville who was responsible for the dismissal of Conway; it was Grenville who bungled the Regency affair;

<sup>12</sup> *Ibid.*, pp. 13-16, 29, 42, 44, 47, 109, 115, 140, 158, 211.

<sup>13</sup> *Ibid.*, p. 158.

<sup>14</sup> *Ibid.*, p. 14.

<sup>15</sup> *Ibid.*, p. 13.

<sup>16</sup> *Ibid.*, p. 237.

<sup>17</sup> *Ibid.*, p. 257.

it was Grenville who was the leader of the opposition during the later ministries in which Walpole was interested. Bute, on the other hand, was the principal enemy of Grenville and is therefore not infrequently in Walpole's good graces; he would have Bute bind himself hand and foot to Pitt rather than submit to such wretches as Grenville, and Bute later served the very useful purpose of keeping the Pitt and Grafton ministries firm. Nor should we expect to find so much emphasis on the danger from the prerogative, since, after 1763, it was never the prerogative so much as the aristocracy that Walpole felt to be the chief danger to the Constitution.<sup>18</sup> The whole tone of the first volume, indeed, in so far as it deals with these matters, is inconsistent with Walpole's known views at the time he was writing the original draft, but is consistent with his known views after the American war.

In the second and third volumes, on the other hand, this is not the case, or it is the case to a very much less extent. With few exceptions<sup>19</sup> the attitude towards Bute and Pitt, towards the Scots and the Tories, towards the princess and the king, is much the same as in the letters. The Junto or the Cabal is mentioned, but it is as often a cabal against the king as in his favor.<sup>20</sup> The style too is on the whole more matter-of-fact; the bitter or the regretful tone of the period of the American war is less pronounced when it appears at all, which it rarely does. And yet, if these volumes were revised in 1784, one would expect to find here not only the style of the later period, but some reference to the American war and the loss of the colonies, for the second volume deals with the Stamp Act, which certainly offered an excellent opportunity to connect the early part of the reign with the later. The remarks on the Stamp Act, however, are just what one might expect Walpole to make in 1775. He gives several pages to the subject, but the nearest he comes to mentioning the events of the period after 1775 is in saying that Grenville ignored the "opportunity he threw into the hands of Spain and France, of exciting a mutinous spirit in our colonies, and when occasion should serve, of throwing assistance into them against their parent".<sup>21</sup> That the war with the colonies was the opportunity of France and Spain, Walpole, or any one else, could of course foresee in 1775.<sup>22</sup> The passages on the Stamp Act seem to show, therefore, that this part of the Memoirs was revised in 1775 but not in 1784. There are some other passages in the second volume that indicate

<sup>18</sup> See first installment, January number, pp. 262-263.

<sup>19</sup> See *Memoirs*, II. 2, 66, 71, 184; III. 147.

<sup>20</sup> *Ibid.*, II. 13, 14, 66, 67, 73, 75, 115, 122, 129, 297; III. 158.

<sup>21</sup> *Ibid.*, II. 51.

<sup>22</sup> Cf. letter to Mann, September 7, 1775. *Letters*, IX. 245.

the same thing.<sup>23</sup> It is not till near the end of the third volume that we find passages which recall the ideas and spirit of 1784.<sup>24</sup> Is it probable, then, that the revision of 1775 was discontinued near the end of the third volume, that in 1784 the last part of the third and the whole of the fourth volume were revised, and that at the same time, or perhaps later still, the first volume was revised a second time? The adoption of such an hypothesis, however, makes it necessary to explain why Walpole should have thought it necessary to revise the first volume a second time without in like manner revising the second and third volumes; if the revision of 1775 was satisfactory for the latter, why was it not satisfactory for the former as well? A possible answer to this question will suggest itself as soon as we know Walpole's reasons for writing the *Memoirs* originally, and his reasons for revising them in 1784. Let us consider these two points.

What was Walpole's purpose in writing the *Memoirs* originally? In answering this question it must be remembered that Walpole was the author of many books. His earliest ambition was to be a poet,<sup>25</sup> and it cannot be supposed that he was ever indifferent to fame.<sup>26</sup> To be sure, he wished not to be classed with authors, and affected to regard his own works as of no consequence whatever.<sup>27</sup> The truth is that Walpole was as proud and sensitive as any man alive.<sup>28</sup> What he despised was the professional hack writer, hat in hand before some noble patron or other.<sup>29</sup> What he feared was to be known to strive diligently for excellence and then to be known to fall short of it. To be known as a lazy trifler whose cleverness enabled him to throw off many books without effort, was well enough; even if he did no more than fashion odd curios of literature, interesting to "men of parts", no one could say that he had failed, since he had never had high aims. It was not indifference to fame, but the sensitive fear of having loved and lost, that is at the root of Walpole's literary pose.<sup>30</sup> Writing was the business of

<sup>23</sup> Cf. paragraph at top of p. 67, vol. II., with note 1 of same page. In like manner notice the implication of note 1, p. 242, of same volume.

<sup>24</sup> Cf. *Memoirs*, III. 174, 179, 182, 232, 260.

<sup>25</sup> *Letters*, VII. 279. See also VIII. 245.

<sup>26</sup> *Ibid.*, V. 268; VII. 161, 180, 386; X. 305.

<sup>27</sup> *Ibid.*, V. 187, 237, 349; VII. 63, 161, 404; VIII. 41; IX. 194, 384; X. 29, 305; XII. 77; XIII. 202; XV. 331.

<sup>28</sup> "I believe I have more pride than most men alive", etc. *Ibid.*, XV. 189.

<sup>29</sup> *Ibid.*, V. 448; VII. 63, 332; XV. 189.

<sup>30</sup> "I have learnt and have practised the humiliating task of comparing myself with great authors; and that comparison has annihilated all the flattery that self-love could suggest." *Ibid.*, XIII. 204. Walpole's naïveté in respect to the *Castle of Otranto* is well known. See *ibid.*, VI. 180, 194, 198, 200, 205, 213. For further evidence on this point, see *ibid.*, VII. 161; VIII. 89; IX. 384; XIV. 21, 56; XV. 331, 334.



his life, and he wrote the *Memoirs* partly because he found the business of his life amusing, and had, always, to be writing something. "It amuses me", he says, in explaining why he took up the task again in 1771. "I like to give my opinion on what I have seen."<sup>31</sup> And when the work ceased to amuse him he threw it aside.<sup>32</sup>

Nevertheless, Walpole had undoubtedly a more serious purpose than amusement: he wrote for posterity. During his lifetime probably no one knew that he was engaged on the *Memoirs*;<sup>33</sup> but he took good care that they should be published after his death.<sup>34</sup> Walpole was one of those men for whom posterity, no less than adversity, has its uses. He liked to prepare surprises, and one can imagine him chuckling over the little bombshells he would throw into the next century. And the *Memoirs* would surprise many people, and set them right on some things; in the next century, at least, they would know that he, Walpole, already old and half-forgotten by the young of his own generation, knew better than any one what was going on, and had a finger in the pie, although he pulled out no plums.<sup>35</sup> That Walpole's main purpose originally was to relate the part he had himself taken in the politics of the reign of George III., he practically says in the opening paragraph of the *Memoirs*; having declared, in his *Memoirs* of George II., the intention of retiring from politics, he proposes now to "set forth the true causes" that induced him to engage in them again.<sup>36</sup> Two facts confirm this supposition: he began the *Memoirs* in 1766, just at the close of the period during which he was most active in politics; and he grew tired of the task and laid the *Memoirs* aside for a time, for all time so far as he then knew, when he reached the end of the first Parliament of George III., which was the date of his own retirement from Parliament.<sup>37</sup> I assume, therefore, that in compos-

<sup>31</sup> *Memoirs*, III. 124.

<sup>32</sup> *Ibid.*, p. 107.

<sup>33</sup> The letters contain no mention of the *Memoirs*. There is one allusion to them. "I . . . think only of finishing the two or three other things I have begun—and of those, nothing but the last volume of *Painters* is designed for the present public." To Gray, February 18, 1768. *Letters*, VII. 163.

<sup>34</sup> *Memoirs*, I., preface, p. xvi.

<sup>35</sup> "What pains one takes to be forgotten!", he exclaims, apropos of making an index. *Letters*, VII. 386. "Authors are said to labour for posterity; for my part I find I did not write even for the rising generation. . . . The friends I have lost were, I find, more than half the public to me. It is as difficult to write for young people, as to talk to them." *Ibid.*, VIII. 89. See also, VII. 53, 163, 180, 427; VIII. 3, 41; IX. 85, 384; XIII. 202, 213.

<sup>36</sup> *Memoirs*, I. 1.

<sup>37</sup> *Ibid.*, III. 107. In resuming the *Memoirs* in 1771, he explains that after all the end of the preceding Parliament was "no era of anything but of my own dereliction of politics". *Ibid.*, p. 125.

ing the original draft Walpole was mainly intent on setting forth in some detail the events of the period from 1764 to 1768 for the purpose of explaining to posterity the part he had himself taken in those events.

The revision of 1775 was undertaken doubtless for the very natural purpose of improving the literary form of the work. The original draft was based upon notes taken contemporaneously<sup>38</sup> and upon the letters written to Sir Horace Mann,<sup>39</sup> and was, I imagine, little more than a series of rather full notes arranged chronologically under specific dates—in fact, a kind of annalistic chronicle.<sup>40</sup> Walpole, who had a sense for style and was a most fastidious man in all he did, would naturally wish to leave the *Memoirs* in as readable a form as might be. In 1775 he felt that he was nearing the end of life; it was time to put "his house in order", and preparing the *Memoirs* for the press was doubtless a part of that necessary process.<sup>41</sup> But the revision of 1784 was for a very different purpose. He wished quite sincerely to point out to posterity the errors of his own time. Affecting to be a mere spectator of events, highly amused by the squabbles of a profligate age, Walpole was at bottom a man upon whom events made a profound impression. The humanitarian and cosmopolitan sentiment of the century was, in his case, only a thin veneer. At the heart of the pretended "little Englander" was the raging imperialist, proud of his country's conquests and profoundly humiliated by her reverses.<sup>42</sup> This desire to point the moral was present even in the earlier period, and he doubtless speaks with entire sincerity when he says, in resuming the *Memoirs* in 1771, that he writes not only for amusement but also "to warn posterity (however vain such zeal) against the folly and corruption and profligacy of the times I have lived in".<sup>43</sup> As he grew older this desire became more insistent. The reverses of the American war entered like iron into his soul, and he felt that if he

<sup>38</sup> *Ibid.*, I. 84; II. 114; III. 107, 124.

<sup>39</sup> The *Memoirs* were begun August 18, 1766, and in September of the same year we find him writing to Mann: "I have begged you to send home my letters. Pray do: there are five years to come, and I have particular occasion for some passages." *Letters*, VII. 38. See also, p. 83; VIII. 3, 34.

<sup>40</sup> Walpole calls the *Memoirs* annals in one place. *Memoirs*, IV. 85. The *Memoirs* are mostly written in flowing narrative style, but every now and then we come upon the annalistic style. Cf. I. 330-332; II. 296; III. 4-10, 33-38. The original draft of the *Memoirs* was perhaps not very different in form from the *Journal of the Reign of King George the Third from the year 1771 to 1783*.

<sup>41</sup> "I am . . . sorting and burning papers, in short, *setting my house in order* against a certain time that happens but once in one's life." To the Countess of Upper Ossory, November 14, 1774. *Letters*, IX. 96. Cf. *ibid.*, p. 388.

<sup>42</sup> See first installment, January number, p. 261, n. 34.

<sup>43</sup> *Memoirs*, III. 125.

could not prevent the evil he could at least correct the lying newspapers of the time<sup>44</sup> and set posterity right on the meaning of that great event and of the whole reign of George III. as well. He says in a passage of the *Memoirs* written in 1784:

I should have observed the whole progress of the reign hitherto with little judgment, if I had not a worse opinion of the spirit that has actuated it, than I had when I first entertained doubts of its designs against the constitution. However, instead of seeing with my eyes, I recommended [recommend?] to posterity to use their own discernment, abandon the author, accept what truths he has delivered, correct his mistakes, condemn his prejudices, make the best use you can of any wholesome lessons he has inculcated, avoid such errors as he has pointed out. He has written prodigiously too much, if no man shall be the wiser for his writings. He laments not his pains, nor shall deprecate censure if a single person becomes a real patriot, or a better citizen from perusing this work.<sup>45</sup>

That these were the main motives for the later revision, is confirmed by the passages which are known to have been inserted at that time; practically all of them aim to connect the earlier history with the American war; they emphasize, for the purpose of showing that connection, the sinister designs of the crown, the suberviency and malevolence of the Scots and the Tories, the indolence and incapacity of Lord North; they betray the tone that is so common in the letters of the later period—a kind of sad and settled melancholy, as of one who regrets a catastrophe that is too fully accomplished to be avoided and too fatal ever to be quite undone.<sup>46</sup>

These considerations suggest an answer to the question as to why Walpole should have thought it necessary to revise the first volume in 1784 without revising the second and third volumes also. If the main purpose in writing the *Memoirs* originally was to set forth his own share in the politics of the time, the period in which he took an active part would probably be treated more fully than the period in which he took little or no part. The period in which Walpole was active was from 1764 to 1768—from the dismissal of his friend Conway for his vote on general warrants to his own retirement from Parliament. Now, this is just the period covered by the second and third volumes. And that Walpole did in fact deal with this period more fully than with the period from 1760 to 1764 is evident, for, even as the printed *Memoirs* stand, the first

<sup>44</sup> "History, I believe, seldom contains much truth; but should our daily lying chronicles exist and be consulted, the annals of these days will deserve as little credit as the *Arabian Nights*." *Letters*, XIII. 418. "In such a season of party violence, one cannot learn the truth of what happens in next street; future historians, however, will know it exactly, and, what is more, people will believe them!" *Ibid.*, p. 255. Cf. XII. 141.

<sup>45</sup> *Memoirs*, IV. 85.

<sup>46</sup> See passages already noticed. *Ibid.*, IV. 54, 76, 85, 157, 163.

volume (335 pp.) covers three years and eight months, while the second and third volumes (595 pp.) cover only five years and two months. It seems not unreasonable to suppose, therefore, that in the original draft Walpole rather hastily sketched the events of 1760-1764 as a kind of introduction to the real subject of the work, the period in which he was himself active. And if we suppose the revision of 1775 was for the purpose of improving the literary form of the Memoirs, there was no reason at that time for changing either the proportion or the content of the introductory part.

But in what a different light must the Memoirs have appeared to Walpole in 1784! Then he was mainly intent on setting posterity right on the meaning of the American war. This could be done in part by revising the fourth volume, which dealt with the beginning of Lord North's ministry. But only in part; for the deeper meaning of the American war was that in it the king attempted to bring to fruition deep-laid designs which he had harbored from the beginning of his reign, designs which had been fostered by Bute and the Scots and the Tories, designs which had never for a moment been lost sight of. To bring this out, the Memoirs must be more than memoirs of Walpole; they must be memoirs of the reign of George III. in fact as well as in name. A revision of the last volume only would therefore leave something to be desired; it would not achieve the necessary dramatic unity. The events of the first years of the reign, which had been dealt with less fully than the rest, now acquired, in the light of the American war, a new significance, which could be pointed out only by revising the first volume. And a revision of the first volume would be sufficient, for it was just the early years of the reign that offered the best opportunity for proving the contention that Walpole wished to establish: it was then, rather than during the years from 1764 to 1768, that the king, Bute, the Scots and the Tories were most influential. We know from the letters that the only time from 1760 to 1772 that Walpole had much fear of the prerogative was in 1762-1763, during the ministry of Bute himself, and in connection with that very Peace of Paris of which so much is made in the first volume. The second and third volumes, on the contrary, were neither in need of any elaboration, nor did they offer much opportunity, save in connection with the Stamp Act, for the particular kind of revision that Walpole wished to make.

To this hypothesis, which I think best explains all the facts, though I hold to it with no positive convictions, there are two objections which must be noticed. If Walpole did revise the first volume in 1784, it is strange that no mention of a specific date subsequent



to 1775 should appear except in the fourth volume. This fact makes it difficult to suppose that the whole work was revised in 1784, but it loses much of its force if we assume, as I have done, that the revision of 1784 left the greater part of the second and third volumes untouched. In dealing with the events of the fourth volume, there would be a certain appropriateness in referring to the American war, since the fourth volume had to do with the beginning of the very ministry that carried the war through. But in the period covered by the first volume the American question had not yet arisen, and the events of the American war, if mentioned at all, would have, as it were, to be dragged in by the heels. The second objection is of a different sort. In a long note, written probably in 1783 and certainly not earlier, Walpole says that he has changed his opinion many times in respect to Lord Bute's influence with the king, and proceeds to set forth what he then takes to be the truth of the whole matter. The truth, as he then sees it, is that Bute had little direct influence with the king after his resignation in 1763, the real influence after that time being exercised by Jenkinson.<sup>47</sup> Now, the passages in the first volume which I have supposed to reflect the opinions held by Walpole in 1783-1784 assert, on the contrary, that Bute's influence with the king was undoubted and continuous. Croker, in his review of the *Memoirs* for the *Quarterly*,<sup>48</sup> made much of this point to show that Walpole took back at the close of his work much that he had said of Bute in the first part of it. However, the note is of less importance than might be supposed. Walpole admits having changed his opinions frequently. He must have done so indeed, for he has another note, written as late as 1784, in which he says positively that Grenville "had fallen because he was not influenced by Lord Bute . . . and that Dowdeswell had fallen from the same cause", and that "in 1783-4, the *secret influence* was no longer secret."<sup>49</sup> These notes tell us nothing, therefore, except that at one time, either in 1783 or later, Walpole believed that Bute had little influence with the king after his resignation, but that another time, in 1784 or later, he believed no such thing. As there is no reason for believing that the first volume, if it was revised at all after 1775, was revised before 1784, the objection falls to the ground.

The second revision of the first volume, if there was one, may indeed have been made at a much later date than 1784. It will be recalled that throughout the *Memoirs* are many foot-notes that

<sup>47</sup> *Memoirs*, IV. 88, n. 2.

<sup>48</sup> *Quarterly Review*, LXXVII. 140.

<sup>49</sup> *Memoirs*, IV. 75, n. 1.

refer to events or to dates later than 1775. Of these, only three refer to dates later than 1784: one to the date 1786, and two to the date 1788. These three notes are all in the first volume.<sup>50</sup> The interesting query is therefore suggested whether the first volume was revised as late as 1788? It is quite possible that, in taking up the *Memoirs* after the fall of North, Walpole's intention was only to complete the first revision from the point where it had been interrupted by the American war, and that not until later did it occur to him that the work lacked something in perspective and unity which might be made good by recasting the first volume. At least we know that he must have been rereading the *Memoirs* as late as 1788, since that date occurs in the notes.

In conclusion, it should be observed that the amount of matter inserted during the revision of 1784, at least as far as the evidence goes, was relatively small. The importance of the later insertions, however, does not depend upon their quantity, but upon their quality. Wherever we find Walpole asserting that the reign of George III. was primarily a struggle against the despotic tendencies of the crown, there we have a passage which we can say was inserted after the American war, or one which we can say was very probably inserted after the American war. Most of these passages, besides, are interpretative, discursive, speculative in nature. Indeed, if there is any general test by which one may be guided in distinguishing the original draft from the revision of 1784, it is this: in the original draft Walpole was intent on details, and wished to picture the particular person or situation, and himself most of all; in the revision of 1784, he was intent on principles and general tendencies, and wished to picture the whole reign as a lesson to posterity. In the interval between the writing of the original draft and the revision of 1784, Walpole had changed in more respects than in his view of the meaning of the reign of George III.; his attitude towards the function of the historian,<sup>51</sup> and towards his own *Memoirs* and the purposes they might serve, had changed also. Whether Walpole's later view of the reign of George III. is a truer one on the whole than his earlier view, is a question that might be argued but cannot be argued here. At least, that he had an earlier and a later view is obvious, and it is perhaps well to know that he did.

CARL BECKER.

<sup>50</sup> See first installment, January number, p. 258, notes 21 and 22.

<sup>51</sup> In the earlier period Walpole emphasized the necessity of accuracy in details and of strict impartiality in the writing of history. See, for example, *Letters*, IV. 246; V. 149. But in 1785 he wrote: "For my part . . . I hate the cold impartiality recommended to historians", etc. *Ibid.*, XIII. 285. Cf. p. 255; XIV. 235.

## THE LITERATURE OF THE RUSSO-JAPANESE WAR, I.

IN an examination of the "Literature of the South African War", submitted in the pages of this REVIEW four years ago, it was suggested that from a literary point of view all campaigns fall under the heading of one or other of three classes. There are those brief skirmishes on the frontiers of an empire in which the garrisons of its outposts re-establish order or substitute civilized rule for savage despotism. The British army has seen an infinite number of such small wars in every quarter of the globe and owes many of its characteristics to such service. The officers and men of the United States army in days gone by had too their full share of arduous work of a like nature. But soldiers who have been engaged in duties of this character will rarely find their deeds emblazoned in history. A brief despatch, published at the end of the campaign in an official gazette, is the only record of by far the greater number of such expeditions, although the results achieved have in their aggregate conferred no little permanent benefit on the human race.

A grade higher in the historical scale may be reached by campaigns of momentary but not lasting importance. Around these for a time a considerable literature springs up, but of mushroom growth, and for the most part with but little claim to consideration by the historian.

In the third and highest grade must be assessed the wars, whose political and military issues have been so great as to win for them a permanent place in history. These too are surrounded by the same rich growth of contemporary literature, literature of great value so far as it records the personal observations of eye-witnesses, and the reports of those who have played a part in the actual drama of the war, but often marred by inaccuracy, hearsay evidence, and unimportant trivialities. Yet all must be gathered impartially into the granary of the historian. Upon him falls the slow and laborious task of sifting the chaff from the wheat, and of grinding and kneading, from the latter, food meet for the sustenance of future generations. The writing of history cannot therefore be undertaken by any scribbler. It is work which needs time, judgment, an impartial spirit, and above all a free entry behind that veil, which owing to personal and other reasons so often shrouds the truth from the eyes of the generation contemporary with great events. Absolute historical accuracy is probably never attained, but it is gradually

approached after many years of strenuous labor and research, years which moreover serve to fix in their relative importance the various episodes of the events to be recorded and thus enable the historian to regard them as a whole through a true focus.

But if time is essential to the compilation of history, it is also as a rule necessary for the true assessment in value of historical events. It is easy no doubt for the historian to dismiss summarily minor campaigns, punitive expeditions, small wars, and such like, but when a dispute between two communities has been settled by an appeal to arms, the lapse of years will generally be required to determine the final classification in history of the struggle. Yet to this rule there are manifest exceptions; at times it is immediately apparent that an armed contest of state against state must be recognized by reason of its political, racial, or military results, as a real landmark in history, perhaps even a watershed the elevation of which forces into fresh directions the rivers and streams of international life.

The Russo-Japanese War of 1904-1905 is beyond all question one of such landmarks, not only by reason of its presentation of a new type of war, but also having in view its political results. The generations of the nineteenth century, notwithstanding their dream, lasting some decades, of universal peace, saw not a few great campaigns, notably the Napoleonic struggle, the Civil War in America, and the Franco-German contest, but in all these, there were no battles which can compare with those in Manchuria, in duration, in length of fighting front, in the number of troops engaged under one supreme command, and in the desperate resolution of the combatants.

But for the political student as well as for the professional soldier, this great campaign has proved a new departure. Prior to it, the Far East was regarded by the nations of European blood as a prey, a spoil, ripe for division. The eagles had gathered from afar and had already fixed their talons on the carcass. The *banzaïs* of the Mikado's victorious soldiers disturbed these would-be feasters and indefinitely postponed their dream of a rich banquet. For the first time since Mahomet II. converted the Church of St. Sophia into a Mahomedan mosque the armies of the East have repulsed decisively the armies of the West, and Christians have fallen back before the unbaptized.

This is not the place to forecast what will be the ultimate issue of these great events, but that they have entirely changed the whole problem of the Far East, and will profoundly influence the future



of at least one of the world's continents there can be no room for doubt.

The literature of these great events at the disposal of the ordinary student is not perhaps so copious as might have been expected.

The war was fought to a certain extent behind a temporary veil, in that the staffs of both armies, but especially the Japanese, had the courage to impose unusual restrictions on press correspondents. These restrictions, though, as will be seen later, not incompatible with careful and close study of the greatest campaign of modern times, undoubtedly curtailed the number of correspondents who remained in the theatre of war, and so limited the contemporary narratives emanating from that source. But for Anglo-Saxon students on both sides of the Atlantic another serious cause of restriction is the language difficulty. The Russian and Japanese tongues are known to but few Englishmen or Americans. They take long to master and the inducements to their study have hitherto been regarded as fewer than those offered by many other European and Asiatic languages. Regrettable however though this drawback is, there remain open to the student who lacks special linguistic equipment contemporary records, criticisms, and historical sketches of varying interest and value, but sufficient already in bulk to warrant a stock-taking and preliminary classification of the books either written originally in English or subsequently made available by translation.

The contemporary records of the Russo-Japanese War may, as indeed is the case with all great modern campaigns, be conveniently listed under three headings:

- A. The narratives of press correspondents.
- B. The reports of neutral professional eye-witnesses.
- C. The narratives and records of actual combatants.

These contemporary records are the *pièces justificatives* of the historian, the mines from which he delves his ore, mines varying greatly in richness, but yet none of which can be wholly neglected.

The classification above given places them in what may *prima facie* be said to be the inverse order of their relative value, yet the careful student must bear in mind that there are occasions when the observation of the onlooker, especially if he possesses professional training, is more reliable than the testimony of the man whose physical and mental faculties are subject to the severe strain of the combat. It is only by testing, comparing, and weighing the evidence of every class of witness that the truth can be finally obtained. The gigantic tangle of a modern battle, such as that of Liaoyang or

Mukden, presents to the historian perhaps the most difficult of all the problems given to him to unravel.

The earliest reports to reach the general public from a theatre of war are those of war correspondents. It may therefore be convenient to consider these first. Their comparative paucity has been already mentioned, that is to say, their paucity when they are regarded as historical material, for of a goodly band of press representatives who hastened to Manchuria when hostilities commenced not a few judged that the restrictions imposed by the Japanese staff rendered their mission valueless, and returned to their homes, having seen nothing of the struggle. The personal narratives of such individuals are obviously useless to the historical student and must be disregarded. The correspondents who had the patience to remain were well rewarded. The good fortune which crowned the Japanese arms with success both by sea and land in the opening scenes of the war enabled the staff to relax very substantially the restrictions on the press, to allow correspondents to proceed to the front and join the armies in the field, and at times even to lift, for those who were judged discreet, a not ungenerous portion of the veil with which commanders-in-chief screen their plans.

Naturally the narratives of observers writing under such conditions vary in proportion to their individual idiosyncrasies and their previous military experience and knowledge. One of the most fortunate of the war correspondents attached to the Japanese War, as well as one of the best equipped in military knowledge, was Mr. William Maxwell, for he had the good fortune to earn the confidence of General Kuroki's staff, and South Africa had taught him much of the soldier's trade. Thus his book<sup>1</sup> after stating concisely in its opening chapter the causes of the war deals at once with, for the individual fighting soldier, one of the most interesting points of the campaign, by recording the actual forecasts of the fighting characteristics of their respective adversaries made before the war by the Russian and Japanese staffs. In an appendix Mr. Maxwell gives us in full the actual memoranda as to this, prepared by the two staffs.

The Russian forecast is extraordinary in its inaccuracies. It stated that: "The Japanese infantry never attack with the bayonet; they believe that against the modern rifle bayonet attacks are impracticable, and that the issue must be decided by powder and shot. . . . They do not recognize the necessity of continuing the fight within reach of the bayonet." Yet as Mr. Maxwell points out, "The Japanese proved themselves over and over again most

<sup>1</sup> William Maxwell, *From the Yalu to Port Arthur* (London, 1906).

dangerous foes with the bayonet. Before Liaoyang a whole division charged and carried a position at the point of the bayonet, and never fired a shot. At the Sha-ho bayonet charges were almost hourly incidents, and demonstrated the fallacy bred in South Africa, that entrenched positions are unassailable save by powder and shot."

Elsewhere in this Russian memorandum it is suggested that "the Japanese make frontal attacks without turning movements . . . the Japanese do not like night attacks or night marches." Of the night march of the Mikado's troops, of that "determination to die" with which as Maxwell rightly says the Japanese soldier goes into battle, no idea seems to have penetrated the brain of the officer who penned this document.

A comparison of these misconceptions with the lucid and accurate study of the Russian army prepared before the outbreak of hostilities by General Fugii, then commandant of the Tokio Staff College, illustrates the relative reliability of the staffs of the contending armies. The following quotations from Fugii are too striking to be passed over:

The Russian troops are by no means so good as many critics imagine. . . . The training of the men is too formal. Lack of initiative and of independent action is the weak point of all their officers, if we except the general staff and the officers of the Guards, who are a little better in that respect. . . . Their discipline is maintained, not by training but by the remnant of feudal influence. . . . If there be any great hero to lead them they are not men to fear death, as we have seen at Plevna. . . . Yet if they meet any little reverse they are at once terrified and panic stricken. It is therefore necessary to frighten them at the beginning. Strength and courage are their characteristics in battle, and we must therefore always be careful and never venture on any rash movements. . . . Their infantry often charge with the bayonet but have little skill with the bayonet. . . . Their infantry is not clever at making use of natural objects for cover, and fight awkwardly in mountainous country. . . . The Cossacks made no heroic movement in the War of 1877 and their reports were all exaggerated. . . . If our infantry is a little careful we have nothing to fear from the Cossacks. . . . In the War with the Turks there were many mean-minded Russian Officers who placed their personal interest and comfort beyond every other consideration.

These enlightening documents with Maxwell's own informing sketches of the Japanese generals, whom he had opportunities of studying personally—Oyama, Kuroki, Kodama, Fugii, and Fukushima—are an excellent introduction to the great drama of the war. A clear narrative of the battle of the Yalu follows, written with sound appreciation of the plan of the Japanese commander, and yet with full sympathy for the gallantry of the individual soldier. A comparison of the fight with that of Colenso serves to bring out the

thoroughness of the Japanese reconnaissance, the systematic preparation for battle, and the determination with which it was carried through. The close formation adopted by the Japanese infantry, the faulty Russian trenches, the effective artillery fire, the Russian failure to deliver a counter-attack on the Japanese Twelfth Division, and the still more disastrous mistake of holding on too long to what should have been treated merely as a rear-guard position, the splendid gallantry with which Captain Matrizawa and his little company of infantry died to hold up the Russian retreat at Hamatan—these are the main points brought out in Mr. Maxwell's finely written story. A moving account too is that of the funeral ceremonies after Yalu, when the survivors invoked the spirits of the fallen comrades as "for ever with the Gods" and humbly offered to them divine honors.

Notwithstanding this splendid first blow, Kuroki, Mr. Maxwell tells us, after Yalu "greatly feared" an attack from Liaoyang, conceiving that an army twice his own strength might be concentrated against him from that quarter. It was this fear which led to the strong entrenchment of Feng-huang-cheng. But in addition to this, until the battle of Nanshan had been fought, there was much anxiety lest Oku should be assailed from the north. When neither of these possibilities occurred General Fugii is quoted as declaring that General Kuropatkin had lost his opportunity—"he may be a great organizer, but in the field he is not to be feared." Apropos of this Maxwell appropriately quotes Skobeloff's warning to Kuropatkin when serving as his chief of the staff: "You are an ambitious man and will have a fine career, but do not forget my advice—never accept an independent post in which you have to direct affairs."

Mr. Maxwell stayed with Kuroki's army up to and including the battle of the Sha-ho, and then went south in time to witness the fall of Port Arthur. Enough, however, has been said of the contents of his book to indicate that it enhances the reputation of its writer and ranks high in the list of contemporary records.

Another press correspondent, but of a different class, is Mr. T. Cowen, who in the capacity of correspondent of the *Daily Chronicle* watched the opening phase of the war, but ceased sending home despatches owing to the severity of the censorship. His book<sup>2</sup> shows considerable skill and knowledge in dealing with the diplomatic events leading up to the war, but his account of the actual operations by land and sea is obviously based on second-hand information and cannot be regarded as of historical value. Yet there are sug-

<sup>2</sup> T. Cowen, *The Russo-Japanese War from the Outbreak of Hostilities to the Battle of Liaoyang* (London, 1904).



gestive passages in this book which merit attention, notably the comparison of the topography of the Liaoyang peninsula with the county of Cornwall.

A readable and accurate account of an actual eye-witness is to be found in *A Modern Campaign* by Mr. Fraser,<sup>3</sup> who followed Kuroki's army as special correspondent of the *London Times* from the Yalu to Liaoyang. His chapter on the Artillery Lessons of the War is specially informing, and his preference for a slow but powerful gun rather than a mobile and weak weapon will be concurred in by the majority of soldiers.

Mr. Palmer, another war correspondent, covers the same period and events as Mr. Fraser, but his book<sup>4</sup> reads as if it were a mere verbatim reprint of despatches, written at the front, and scored and gashed by the censor's red pencil. It lacks, moreover, knowledge of military technique, although throwing some interesting side-light on the operations from an amateur's point of view.

Here, for instance, is a passage well worth quoting, a few simple but noble sentences spoken by Field-Marshal Yamagata at an interview granted to Mr. Palmer the day after the commencement of hostilities:

If you will look at the geographical position of Korea you will see that it is like a poniard pointing at the heart of Japan. If Korea is occupied by a foreign power, the Japan Sea ceases to be Japanese, and the Korean Straits are no longer in our control. Our public men are of many parties, not of two only, as are yours in America. Our Cabinets are the product of coalitions, which, for the time being, seem to His Majesty and the legislative power best to serve the interests of the country. Foreign policy is a thing entirely apart. In the consideration of Korea and Manchuria, all men of all parties needed only patriotism to realize the singleness of our interests. Whatever Cabinet was in power continued the policy of its predecessor, and the policy of all on a question which put the very life of our nation at stake.

These four books may be taken as fairly representative of the permanent records placed before the public by the English and American correspondents attached to the Japanese armies. It will be observed that they all deal specially with the achievements of the First Army, and that none carry the story further than the battle of the Sha-ho. No member of the English or American press appears to have had the good fortune to be attached to Oyama's headquarters or to have seen the exploits of his centre and left columns.

Of the narratives of correspondents present with the Russian

<sup>3</sup> T. Fraser, *A Modern Campaign: or War and Wireless Telegraphy in the Far East* (London, 1905).

<sup>4</sup> Frederick Palmer, *With Kuroki in Manchuria* (New York, 1904).

armies in the field but few present themselves for consideration by the English reader. For a plain straight story that written by Reuter's special correspondent in Manchuria—Lord Brooke—is much to be commended.<sup>5</sup> It is dedicated to the officers and men of the Russian army in Manchuria "in grateful remembrance of their kindness and hospitality and with the deepest admiration for their courage and fortitude". Lord Brooke professes merely to set forth a simple record of personal experience gained during nine months spent with the Russian army in Manchuria. "Having followed", he says in his preface, "and studied the campaign as a soldier, I have striven to give here a straightforward account of the many stirring events which came within my own actual experience; this without extenuation or disguise, and, assuredly, without malice." Leaving St. Petersburg in the beginning of May, 1904, Lord Brooke succeeded after some delay in reaching in June Liaoyang where he found Kuropatkin's headquarters established. He remained with the Russian army from that date until within three weeks of the battle of Mukden, when unfortunately private reasons compelled him to return to England. A large portion of his narrative is naturally therefore devoted to the battles of Liaoyang and of the Sha-ho. Historically this narrative has been superseded by writers who have had access to fuller information than that available to a single eye-witness jotting down on the battle-field his personal observations, but Lord Brooke's assessment of the reason for the Russian defeats is of permanent value, recording, as it does, the opinion prevalent at the time in the army itself, as it fell sullenly back before its victorious foes.

As regards Liaoyang he confidently affirms that it was not lost through any fault of the Russian rank and file.

Excepting Major-General Orloff's 5th Division, which became panic stricken on the 2nd of September, the infantry never lost their discipline, and never gave up a position without strenuous resistance. . . . Nor was it in the fighting only that the troops showed their fine qualities, for discipline was maintained also during the retreat, even when, as in the case of the 1st Siberian Corps, they had been for thirteen days consecutively either fighting or marching.

To Baron Stackelberg's "consummate skill" in defending the Shushan position and conducting the retirement therefrom, he pays also warm tribute. The defeat of the army was, in Lord Brooke's opinion and in the current opinion after the action, attributable partly to the erroneous belief that the Russians were fighting against inferior forces, partly to Orloff's disobedience of orders, partly

<sup>5</sup> Lord Brooke, *An Eye-Witness in Manchuria* (London, 1905).

to the depression of spirits caused by the remembrance of previous ill success, but chiefly and above all to Kuropatkin's vacillation. "The Japanese thoroughly earned their victory by their audacity, tenacity and fortitude. On their side was no hesitation, no change of place. They saw their goal straight before them, and worked to attain it to the uttermost of their ability."

After the battle on the Sha-ho he notes that the general inclination of the army was to blame Stackelberg. It was said that he should have broken through at Tu-min-ling or crossed the Taitzo-ho at Pensihu and threatened Liaoyang. Later again in the prolonged struggle, it was argued Stackelberg should have concentrated his entire strength against the Japanese centre. But Lord Brooke will have none of this. Without a large reserve of mounted troops he holds that Stackelberg was powerless when the Japanese counter-stroke pierced the Russian line, and he contends energetically that that commander did everything that was possible with the force under his orders.

Lord Brooke's conclusion, formed after this battle, however, was that "the war had failed to produce a single Russian General equal to handling successfully such large bodies of men as were now in the field"—in other words that, as at Liaoyang, it was the higher direction which was in fault.

In Monsieur J. Taburno's *The Truth about the War*<sup>6</sup> may be found a most interesting attempt of a civilian eye-witness to piece together on the spot an intelligible account of the great Mukden fight, and to deduce from his observations the causes of the Russian failure. A civil engineer by profession M. Taburno joined the Russian forces in Manchuria in December, 1904, as correspondent of the *Novoe Vremia*, and placed his book before the public in the following April. It is written temperately and shows considerable insight into the shortcomings of the Russian army. He draws attention, for instance, to such varied points as the abuse of the special living trains set aside for the accommodation of the commander-in-chief and army commanders; to the excessive number of soldiers detached on non-combatant duties; to the great defects in the intelligence system and reconnaissance work; to "the microbe of distrust" which had contaminated the whole army; to the jealousy between the staff and regimental officers; and to the lack of discipline on the line of communication. As to General Kuropatkin himself, he declares, not without justice, that "his resolution, going hand in hand with absolutism and the distaste of listening to good

<sup>6</sup> J. Taburno, *The Truth about the War*; translated by Victoria von Kreuter (Kansas City, 1905).

advice, accommodated itself to the system adopted by him, that of passive resistance, and the weakening of the enemy during the retreat." But he points out that to force Kuropatkin to abandon his own plan of action was unwise.

Yet Kuropatkin himself was equally culpable in his interference with his subordinates in the details of their commands. Of Linevitch, M. Taburno had high hopes, and in one of the concluding chapters of the book he presses for the continuance of the war until victory over the Japanese "should re-establish our prestige and give us back the respect and glamour we have lost". This little book as a whole is a remarkable product. It may be conjectured that although a civilian its author must have made some previous study of the art of war, but in any case his judgment is remarkably just, and his work shows but little mark of the haste with which it was written. The note of patriotism and self-sacrifice which he sounds is wholesome teaching.

A book of a very different scope is *The Tragedy of Russia in Pacific Asia*,<sup>7</sup> the key-note of which may be given by the quotation of one sentence: "The chief enemy of our Army is the nation's moral disease." Mr. McCormick followed the fortunes of the Czar's troops throughout the war. He was present in Port Arthur when the dramatic surprise of the Pacific Squadron by Japanese torpedo boats startled the world. Joining subsequently the headquarters of the Russian field army he observed closely the great contest of Liaoyang, and at its close fell into the hands of the Japanese. Treated with much courtesy and almost immediately released he joined Kuropatkin in time to report on the failure of his offensive effort on the Sha-ho, and remaining steadfast at his post throughout the long winter deadlock, Mr. McCormick had the good or ill fortune of being an eye-witness of the final decisive struggle at Mukden and the retreat of Kuropatkin's armies. Later he watched their reorganization under Linevitch, and, remaining till peace was proclaimed, noted the disorders which manifested themselves subsequently amongst the troops. His personal observation of all these events is supplemented by a summary of the operations in other portions of the theatre of war sufficient to permit the reader to grasp the campaign as a whole, but the real value of the two volumes lies in their personal evidence and their incisive analytical criticism of the psychological causes which led to Russia's defeat. The many great problems of strategy and tactics are touched on with a somewhat light hand and it may perhaps without offense be

<sup>7</sup> Frederick McCormick, *The Tragedy of Russia in Pacific Asia* (New York, 1907).



conjectured that Mr. McCormick does not desire to pose as a professional expert on such matters; but though he may never have studied Clausewitz, he has mastered to the full the truth of that great maxim that the spiritual side of war is more important than the material. A hasty reader of *The Tragedy of Russia* might perhaps label the work as "mainly political". But it is much more than that. It is the soldier's business as well as the statesman's to probe to the bottom all the causes of victory and defeat, of national triumph and national humiliation, and however highly the soldier may prize the technical side of the art of war, he has studied history imperfectly if he fail to grasp the lesson that national spirit is a more important factor in a struggle of nation against nation than even a high standard of military knowledge. Without national inspiration a nation's army cannot as a whole attain true fighting efficiency.

Rightly, therefore, does Mr. McCormick mainly impute Russia's failure in the Far East, not to the mistakes of this or that commander, or to errors in tactics, but to the moral diseases with which the nation had infected its army, the diseases of indifference to duty, of self-indulgence, of disloyalty, of self-seeking, of mistrust. Yet admirable though his criticisms are as a whole on these points, they are marred by one false note, the contemptuous allusions to the religious practices of the Russian army. The Englishmen who heard mass before Agincourt, Cromwell's Ironsides and the Scotch Covenanters who sang psalms when drawn up in line for battle, Havelock, Stonewall Jackson, Lee, Gordon, Roberts, and a host of other instances controvert the suggestion that soldiers cannot serve God and Country simultaneously. Indeed the Japanese, though of a less divine faith, were themselves inspired to victory by the Bushido, whose spirit of self-sacrifice and self-suppression might well be based on the teaching of the Gospels. Nevertheless, Mr. McCormick's book is a valuable contribution to the historical material of this campaign, and his final examination of the aftermath of the war (chs. LXI. and LXII.) should be studied carefully on both sides of the Atlantic.

The great siege of Port Arthur was in some respects the most dramatic spectacle of the whole war, and its events are worthily recorded in two or three notable books. The narrative, for instance, of Monsieur E. K. Nojine, the accredited Russian war correspondent during the siege, is a book<sup>8</sup> which cannot be ignored by the historian. *The Truth about Port Arthur* as told by M. Nojine is one long

<sup>8</sup> E. K. Nojine, *The Truth about Port Arthur* (New York, 1908); translated and abridged by Captain A. B. Lindsay and edited by Major E. D. Swinton.

indictment of Russian administration and of certain of the local authorities, notably General Stoessel. M. Nojine was present during the greater part of the siege, had access to official documents and diaries as well as exceptional facilities for collecting material for his book. These opportunities and his own personal observations enable him to bring to light amazing evidence as to the negligence displayed in arming and provisioning the fortress. The military incapacity and defiance of higher authority displayed by Stoessel, the incompetence of his favorite, General Fock, and the final tragedy of the premature surrender, on these points M. Nojine's testimony is scathing, so scathing that the issue of the English translation of his book was delayed pending the announcement of the results of the trial by court-martial of the senior officers responsible for the defense, results which when made known to the world were found to justify singularly M. Nojine's indictment. Indeed the charges on which Stoessel and others were arraigned, added in an appendix to the translation with others of the official documents, bear out to the hilt the accusations of the main text of this book.

Mr. Maxwell's account, from the Japanese side, of the final assault has been already referred to. Of the narratives of other war correspondents who watched the siege from the attacking side it will suffice to bring to notice three, those of Mr. F. Villiers, Mr. W. Richmond Smith, and Mr. David James.<sup>9</sup>

Mr. F. Villiers is the well-known war artist of the *Illustrated London News*. The chief features of his book are naturally therefore his charming sketches. His personal experiences before Port Arthur during the months August–November, 1904, make entertaining light reading, but the record is not one requiring serious study.

Mr. Richmond Smith was attached to the Third Japanese Army before Port Arthur in the capacity of war correspondent of the Associated Press and Reuter's Telegraph Company. Partly by his own patience and reticence at a time when other war correspondents could not conceal their impatience at the restrictions placed on press correspondents, and partly by small acts of kindness, done without *arrière pensée* to private soldiers, he was fortunate enough to win the confidence and friendship of the Japanese Staff, and thus during the later and most interesting stages of the siege was granted somewhat special advantages, being allowed to push forward into the advance trenches and even to inspect the mines ready for explosion

<sup>9</sup> F. Villiers, *Port Arthur: Three Months with the Besiegers* (London, 1905); W. R. Smith, *The Siege and Fall of Port Arthur* (London, 1905); D. H. James, *The Siege of Port Arthur* (London, 1905).

beneath the Russian forts. His narrative is that of a close observer, conscientious and impartial. Of particular interest as tending to correct the world's first impression that the Japanese army and nation were without touch of human weakness is the story of the manner in which the Osaka battalion, after refusing to follow its commanding officer in action, was braced up to its duty, and the reference to the ill-timed and ungenerous attacks made by the Japanese press on their military authorities on the charge that the capture of Port Arthur had been unduly delayed. *Tantaene animi celestibus irae?*

In England, and possibly in the United States, soldiers know well the mischief of these popular outbursts, but to find such manifestations in a country, the whole-hearted patriotism of whose citizens won the respectful admiration of all other nations, is a surprise and perhaps a consolation.

But for the professional student the most valuable portion of Mr. Richmond Smith's book is the preface, written by General Sir W. G. Nicholson, formerly senior British military attaché in Manchuria, and now chief of the Imperial General Staff at the War Office. It will be remembered that the extreme Blue Water School were somewhat staggered in their theories by the circumstances of the Port Arthur siege. That a naval fortress should be regarded for many months as the principal strategic objective in a great war and that to its attack and defense should be more or less subordinated all other operations by land and sea, was not a little disconcerting to the preachers of the doctrine that fixed defenses are a useless waste of money. Somewhat to the surprise of his friends the very able military correspondent of the *Times*, Lieutenant Colonel Repington, although by no means an extreme Blue Water man, took up on this occasion the cudgels on behalf of that school and boldly condemned both the defense of Port Arthur by Russia and its attack by Japan, as serious strategic blunders.

Sir William Nicholson's remarks on this point, though written before he assumed the responsibility of his present high office, and therefore not to be taken as an *ex cathedra* judgment, are too weighty not to be quoted.

As regards the strategical aspect of the siege I am tempted to offer a few remarks with special reference to articles which have appeared in the public Press suggesting that the conversion by Russia of Port Arthur into a strong naval fortress was a costly mistake, and implying that of late years we have wasted much money on the defences of our naval bases besides locking up as garrisons for these bases too large a proportion of our small regular Army.

Had Russia possessed no fortified naval base on the shores of the

Liaoyang peninsula, it is obvious that on the outbreak of war in the event of the Japanese fleet gaining, as it did, a local and temporary superiority over the Russian fleet in the Far East, the latter in the absence of reinforcements must have been destroyed, captured or compelled to seek refuge in neutral ports where the vessels would have been interned until the end of the war. At that time Vladivostock was ice-bound and consequently though fortified was not available, even if a withdrawal in that direction could have been safely effected. The Russian fleet having obtained shelter in Port Arthur, it necessarily devolved on the Japanese Fleet continuously to watch and blockade the harbour. It also necessarily devolved on the Japanese Army to capture Port Arthur as soon as possible in view of the existence of a powerful though distant Baltic Squadron which might be expected sooner or later to arrive in Japanese waters.

The garrison required for the defence of Port Arthur may roughly be estimated at 50,000 Russian troops, while the strength of the Japanese force needed to capture Port Arthur can hardly have been less in the aggregate than 150,000.

The events of the war show that in field operations when the numbers on either side were approximately equal, the Japanese troops almost invariably succeeded in defeating their opponents. It follows then, that if there had been no maritime fortress of Port Arthur General Kuropatkin might have had 50,000 additional soldiers at his disposal for field operations. Marshal Oyama's army could have been reinforced by 150,000 men; and it can hardly be doubted that under such conditions the engagements of Liaoyang and Mukden would have been more decisively in favour of the Japanese. It is true that Port Arthur fell before the arrival of the Baltic fleet, and consequently that fleet could not be reinforced by the Russian ships which had sought shelter there; but the fortress held out for seven months, a period which under normal conditions of naval mobility would have been amply sufficient for a squadron from the Baltic to reach the Far East.

On the whole therefore it may be concluded that the existence of a strong naval base at Port Arthur was distinctly advantageous to Russia: first from a naval point of view as affording protection to the squadron which had been worsted at the outbreak of the war, and giving it the chance of joining the Baltic Squadron had the latter arrived before the capture of the base; and secondly from a military point of view as demanding for its investment a much larger number of troops than those comprising its garrison.

Of course if a navy were so powerful and so ubiquitous that its local and temporary loss of sea command in any part of the world would be inconceivable, it might be deemed an extravagance to fortify and garrison naval bases at home or abroad. But War has its chances, and that nation is wisest which steers a middle course between an excess of defensive precautions on the one hand and too sanguine a confidence in the invincible and universal superiority of its offensive force on the other.

In Mr. David James's *The Siege of Port Arthur* both military and general readers will find a valuable and accurate record as well as powerful descriptive writing. Mr. James's narrative of the first great Japanese assault on the fortress is indeed deemed so reliable



by the Russian General Staff as to be quoted at length in a treatise on the siege of Port Arthur prepared for the use of the St. Petersburg Staff College and translated two years ago by the General Staff at Washington.<sup>10</sup>

Considerations of space forbid the mention of the narratives of other non-official eye-witnesses. Enough has been said to show that notwithstanding all difficulties a shelf may be filled with useful and interesting books from this source dealing with the Russo-Japanese campaign.

It is time to pass on to a different group—the narratives of professional eye-witnesses, who took part themselves in the operations of war or whose official duty it was to watch these operations as onlookers. It will have been observed in commenting on the records of the war correspondents that not one had the good fortune to watch a sea-fight from the deck of a war vessel. Indeed, although representatives of the press have been occasionally allowed to report on naval manoeuvres, the modern newspaper editor, notwithstanding his unbounded enterprise, has not apparently yet succeeded in obtaining permission for a correspondent to accompany a fleet proceeding on active service. It is a compensation, however, for this gap in Russo-Japanese War records that by far the most important of the narratives contributed by combatant eye-witnesses deal exclusively with the story of Russia's disasters at sea. Commander Semenoff's three books,<sup>11</sup> *Rasplata*, *The Battle of Tsu-shima*, and *The Price of Blood*, to name them not in the order of their publication but chronologically, are probably the most luminous narratives of actual war experience to be found in modern literature. *Rasplata* and the *Battle of Tsu-shima*, as the author tells us in his preface to the former, were first published as a series of articles in the *Russ* newspaper, and are simply the diary of an eye-witness jotted down daily, or on important days even hourly, and now presented in the form of a narrative. "It is material", Captain Semenoff claims, "for writing history", and this the more so, seeing that his comments on the daily events are not afterthoughts, but the judgments formed on the spot and at the time. The whole narrative is therefore what the maker of history above all things desires, primary evidence.

Semenoff had spent nearly the whole of his previous service in the Far Eastern seas, but the war clouds gathering at the commence-

<sup>10</sup> A. von Schwartz, *The Influence of the Experience of the Siege of Port Arthur upon the Construction of Modern Fortresses* (Washington, 1908).

<sup>11</sup> Vladimir Semenoff, *Rasplata* (New York, 1909). *Id.*, *The Battle of Tsu-shima* (London, 1907); translated by Captain A. B. Lindsay, with a preface by Sir G. S. Clarke. *Id.*, *The Price of Blood* (London, 1910); translated by Leonard Lawley and Major F. R. Godfrey.

ment of 1904 found him holding the post of aide-de-camp to Makaroff, then port admiral at Kronstadt. Good interest, however, secured for him the appointment of second in command of the *Boyarín*, a protected cruiser attached to the Far East Squadron. Hurrying out across Siberia, Semenov reached Port Arthur immediately after the disastrous surprise of the Russian fleet. The *Boyarín* had been sunk, but reappointed first to the auxiliary cruiser *Angara* and subsequently as commander of the *Diana* he served in the Port Arthur Squadron until the sea-fight of August 10, the story of which he tells with admirable lucidity. The battle over, the captain of the *Diana* made a bold bid for freedom, but damage in action and lack of coal compelled her to take refuge at Saigon. Here, before he could be officially interned by the French authorities, Semenov slipped on board a Messageries Maritimes steamer and took passage for Europe, telegraphing a request to Admiral Rojestvensky for employment. Travelling with the utmost energy Semenov reached Libau a few hours before Rojestvensky's ill-fated squadron sailed for the Far East, and was attached as supernumerary to the commander-in-chief's staff. In the latter half of *Rasplata* is presented, therefore, Semenov's daily observations written on board the flag-ship during the ill-fated voyage from Libau to the Straits of Tsushima, including the initial madness of the Dogger Bank incident. From the data thus recorded a very accurate appreciation of the condition of the personnel and matériel of the Russian fleet, when it joined final issue with Togo, can be formed.

*The Battle of Tsushima* gives us a vivid description of that catastrophe as viewed from the Russian flag-ship, the *Suvorov*. Semenov's notes, therefore, must for long rank as high authority on the greatest sea-fight of modern times. A preface by Colonel Sir George Sydenham Clarke, the well-known military writer and the first secretary of the British Imperial Defence Committee, summarizes its lessons as follows although his deductions have not been wholly accepted by the predominant school of British naval thought:

The general impression conveyed by Captain Semenov, and confirmed from other sources, is that the Russian ships were overwhelmed by the volume of the Japanese fire, and that frequency of hitting rather than weight of shells should be the main object. If this conclusion is correct, the principle which guided the British Navy of the days of Nelson—to close to effective range and then deliver the most rapid fire possible—has been strikingly reaffirmed.

Captain Semenov's testimony in these two books then covers practically the whole of the naval operations of the war and is of the greatest importance alike to the historical student and the pro-

fessional reader. It tells in simple terms the story of a tragedy, of the *Rasplata*, or day of reckoning, of a great service, a navy once efficient and still manned for the most part by brave men willing to die for their country, yet so demoralized and emasculated by corrupt administration and bad leadership as to possess from the very outset no chance of escaping that doom of failure and disaster which war justly awards to the incompetent. The story is a warning to the administrator and the statesman, a still greater warning to those, whether sovereigns or sovereign people, upon whom the choice of administrators and statesmen depends.

Semenoff's last book, *The Price of Blood*, though pathetic reading somewhat falls short of his other two books, perhaps because his true message to the nations of the world was exhausted. He tells us of his capture as a wounded man by the Japanese with Admiral Rojestvensky and the rest of his staff; of their treatment whilst prisoners; of the proclamation of peace; of his return over land to Russia through an army tainted with sedition, and of his reception by his superiors in Russia. His criticisms of the Japanese and perhaps too of his own superiors strike one as rather influenced by the depression naturally resulting from severe wounds and the great strain of the campaign. Nevertheless, one takes leave of him at the last page with deep sympathy and no little respect, a sympathy enhanced by the news of the gallant Semenoff's death, which has reached England as these words are being written.

A pathetic book<sup>12</sup> too is the diary of M. Eugène Politovsky, the engineer-in-chief of Rojestvensky's squadron, who went down in the battleship *Suworov* during the battle of Tsushima. Written for the eye of his young wife, to whom it was sent home piecemeal as opportunity offered during the long voyage to the Far East, this narrative is probably more outspoken in its criticisms of his brother officers than would have been the case had its writer anticipated its publication to the world. The criticism is, moreover, accentuated by the frets and jars of the long voyage, the anticipation of certain failure, and the class jealousy which crops up unfortunately from time to time between the non-combatant and the combatant in all fighting services. Yet it brings out well one side of an enterprise which though irretrievably doomed to final disaster was nevertheless in itself a remarkable achievement.

Alike both on land and sea the spiritual aspect of war demands the closest examination, and as a psychological study there is no book on the campaign better worth reading than Lieutenant Tada-

<sup>12</sup> E. S. Politovsky, *From Libau to Tsushima* (New York, 1908); translated by Major F. R. Godfrey.



yoshi Sakurai's<sup>13</sup> narrative of his short spell of severe fighting before Port Arthur, entitled *Human Bullets*. Every army has its proportion of brave men, whose number and determination vary with national characteristics and with the discipline and moral of the force. But the campaign in the Far East developed a bravery of a type, which, whether we do or do not apply to it the epithets of Oriental and fanatical, wins whole-hearted admiration. The brave Anglo-Saxon faces battle with a determination to do his duty, if need be at the loss of his life; yet he seldom has any personal wish to die, and as a rule cherishes at the back of his mind the belief that it will be his individual fortune to be exempt from that supreme sacrifice. The brave Japanese soldier looks at things differently. The call to arms he regards as a summons not merely to risk his life, but to lay it down for his emperor and his country. Sakurai tells us how, before his setting out for the war, his mother filled for him the farewell cup of water, the Shinto viaticum, administered to dying persons by their nearest relative, and how when fight after fight left him and some of his comrades still unscathed it seemed that "the opportunity was slow in coming." He asks:

How was it that we were still alive after fighting one, two, three, already four battles, without having fallen like beautiful cherry petals of the battle-field? I had been fully resolved to die on Taku-shan, but still I was left behind by a great many of my friends. Surely this time, in this general assault, I must have the honor and distinction of offering my little self to our beloved country. With this idea, this desire, this determination, I started for the battle.

And so, after preparing with his own hands from empty cigar boxes a little coffin to carry his ashes back to Japan, he went forward with his company into that amazingly fierce attack delivered on East Kikuan Fort on August 19. Yet Heaven accepted not his offered self-sacrifice; the attack failed, and the gallant little officer, though desperately wounded, was brought out alive by his brave men, and ultimately returned to Japan a cripple for life. When, a hundred and forty days afterwards, while still in bed, unable to move his hands or stand on his feet, he heard of the capitulation of Port Arthur, he tells us:

At the same time there came to me the thought of the great number of my dead comrades. I who had had the misfortune of sacrificing the lives of so many of my men on the battle-field, how could I apologize to their loyal spirits? I who left many brethren on the field and came back alone to save my life, how could I see without shame the faces of their surviving relatives?

<sup>13</sup> Tadayoshi Sakurai, *Human Bullets: a Soldier's Story of Port Arthur* (Boston and New York, 1908); translated by Honda.



We may smile at the cigar-box coffin, we may pride ourselves on our high civilization, and our Aryan origin, but the whole-hearted devotion of this simple subaltern remains a noble example and a warning. A warning because a race which can assimilate to itself the best of modern civilization and yet remain not afraid to die will make much history.

To turn to a very different class of book, Captain Soloviev's *Actual Experiences in War*,<sup>14</sup> is of great practical use to the professional soldier, and may be compared with the similar valuable reports of battle experiences by company officers which so stirred military students immediately after the 1870-1871 campaign. It deals, however, entirely with tactical matters, and however grateful soldiers may feel to the American General Staff for its reproduction cannot be commended as likely to be of much interest to the historian.

Mr. McCormick, whose book has been already noticed, rightly entitles this campaign *The Tragedy of Russia*. In this *Tragedy* two figures stand out as the most unhappy, Rojestvensky, the commander of the fleet assigned to a hopeless forlorn hope, and Kuropatkin, the commander of an army doomed to unvarying defeat. Captain Semenoff in *Rasplata* has told the story of the former simply and truthfully, although the theme is one from which an Aeschylus might have woven a drama of remorseless destiny. Kuropatkin is his own historian. Two out of a series of volumes, issued by him in Russia but to be suppressed, have now been made accessible to the English reader.<sup>15</sup> These volumes are the *apologia* of a man who failed, but they are, as the translator and editor point out in a joint preface, also something more. They present a strong and not unreasonable protest, that the war was not fought to a finish, that peace was concluded prematurely, at the moment when Russia's strength was at its greatest and that of Japan had begun to ebb. Nor are the great political issues of the period before the war ignored. Kuropatkin after serving as chief of the staff in the Turkish War of 1877-1878 and commanding a brigade with much distinction in the Akhad Tekke expedition of 1880-1881, was for seven years (1883-1890) in charge of the strategical branch of the Great General Staff at St. Petersburg and from 1898 until the outbreak of the Manchurian War held the portfolio of Minister of War.

In the light of after events it is therefore of great interest to find that in a memorandum addressed to the Czar in October, 1903,

<sup>14</sup> L. Z. Soloviev, *Actual Experiences in War: Battle Action of the Infantry; Impressions of a Company Commander* (Washington, 1906).

<sup>15</sup> General Kuropatkin, *The Russian Army and the Japanese War* (New York, 1909); translated by Captain A. B. Lindsay and edited by Major E. D. Swinton.

and quoted verbatim in these volumes the future commander-in-chief advised conciliation of Japan by the avoidance of contact with the Korean frontier and the military evacuation of the area between that frontier and the railway. The annexation of southern Manchuria would on the other hand, he pointed out, render critical all the questions outstanding between the two nations, and would confirm the Japanese in their suspicion that Russia intended to seize the Korean peninsula. He deprecated strongly the period of armed neutrality, which he thought would ensue, as injurious to "the vital interests of the people at large". Still more was he opposed to war itself, the final issue of which he regarded as by no means assured. Two months later a second memorandum, written for the emperor's eye by Kuropatkin as Minister of War, definitely proposed that to ensure a peaceful issue of the diplomatic struggle Port Arthur and the province of Kuan-tung should be evacuated and the southern branch of the Eastern Chinese Railway sold. In support of this proposal he urged that the national interests of Russia were not sufficiently involved to warrant war, and that war for an object which would not be understood by the nation should be avoided at a time of national crisis.

These two documents are of great importance. They establish that sound counsel, at any rate on the main political issues, was tendered to the Czar by his responsible military adviser. Unfortunately His Majesty, though personally anxious for peace, appears to have placed absolute confidence in his viceroy in the Far East, Admiral Alexeiev, and Alexeiev's folly and ignorance made peace impossible. That the man who by his incompetency had thus involved his sovereign unwillingly in war should have been left in supreme command of the naval and military forces in the Far East was a blunder for which Russia paid dearly. Until the viceroy's recall Kuropatkin was commander-in-chief only in name. The latter's plan of campaign is set forth in the second volume of the two Captain Lindsay has translated for us. Its essence was "that during the first period of the struggle we shall have to assume a generally defensive rôle. Any troops we may have within the theatre of operations should so far as possible keep clear of decisive actions, in order to avoid being defeated in detail before we can concentrate in force." The area Mukden-Liaoyang-Hsuiyen was named for the primary concentration of the Russian forces, but it was contemplated at the outset by the commander-in-chief that a retirement in the direction of Harbin would be necessary. Alexeiev's interference with this plan caused the primary disaster on the Yalu and forced Kuropatkin to order Stackelberg's attempt to relieve Port

Arthur. Alexeiev figures, therefore, not unjustly in a prominent position in Kuropatkin's *apologia*. His other pleas are in the main the imperfection of the army under his command and the premature declaration of peace. As to the latter it is clear that the internal condition of Russia would have made the further continuance of the contest with Japan a very dangerous course for the Czar's government.

The defects in the Russian army itself seem hardly points to be pleaded by Kuropatkin in his personal justification, seeing that he had held in his hands the portfolio of Minister of War for the seven years before the war.

Kuropatkin's defense can therefore be only partially accepted. He undoubtedly took over the command in the Far East under difficult circumstances and cannot be held wholly responsible for the initial moves of the campaign. But at Liaoyang and Mukden he was unfettered by higher authority and had then under his orders a brave and well-disciplined force, superior numerically to that facing him. The loss of the first of those battles must be attributed to Kuropatkin's mind being obsessed with defensive tactical ideas, and with that cult of positions which, though favored by a certain school of military thought, is incompatible with decisive victory. The Mukden defeat was also due to lack of military judgment and false tactical moves. History's verdict must thus needs pronounce Kuropatkin to have lacked those rare qualities which make a great commander. If a Napoleon, a Moltke, or a Lee had been in his position, the issue might have been very different. Yet General Kuropatkin remains an example of a gallant true-hearted soldier, who under less difficult circumstances might perhaps have achieved a high reputation. In any case the devotion to duty which inspired him after Mukden to serve loyally and cheerfully under his former subordinate, will ever merit the respectful admiration of all who have the honor to belong to the profession of arms.

A BRITISH OFFICER.

## PRIVATEERS AND PIRATES OF THE WEST INDIES

IN the sixteenth and seventeenth centuries the work of policing the seas was given over to the casual attention of the royal navies of Europe. When piracy became so flagrant that it dared enter the very ports, a few men-of-war, generally the older, battered, less seaworthy vessels, would be detailed to suppress the pirates. These, after a sedate patrol of the coasts and the capture of a chance-met offender or so, would report the seas clear and lie up for repairs. Yet no sooner were they out of commission than the pests were back from the Scilly Isles, or the Orkneys, or the Canaries, or the desolate creeks and coves of Ireland, from any hiding-place or from the open sea, and the merchantmen must protect themselves again as best they could.

Under such trifling restraint, piracy continued undiscouraged in European waters. In the West Indies it flourished openly, almost respectably. There the sea was broken by a multitude of islands affording safe anchorage and refuge, with wood, water, even provisions for the taking. There the colonies of the great European powers, grouped within a few days' sail of one another, were forever embroiled in current European wars which gave the stronger of them excuse for preying on the weaker and seemed to make legitimate the constant disorder of those seas. There trade was rich but settlement thin and defense difficult. There the idle, the criminal, and the poverty-stricken were sent to ease society in the Old World. By all these conditions piracy was fostered, and for two centuries thrived ruinously, partly as an easy method of individual enrichment, partly as an instrument of practical politics.

Piracy in the Indies began with the beginnings of Spanish colonization, in the high-handed actions of traders from all the European states, who ventured into the Caribbean in defiance of Spanish prohibitions. By the middle of the sixteenth century religious and patriotic zeal had become the justification of deliberate robbery of Spanish subjects by the Protestants of other nations. No catchword was ever truer than "No peace beyond the Line" during the sixteenth and seventeenth centuries; in 1684 one finds the translator of *Bucaniers of America* still declaiming it with conviction: "We know that no Peace could ever be established beyond the Line, since



the first possession of the West-Indies by the Spaniards, till the burning of Panama."<sup>1</sup>

It is probable that only a small portion of the violence committed in the Indies would square with the legal theory of piracy: generally speaking, the robbers were not *hostes humani generis*, but enemies of Spain; furthermore, the majority of them sailed under letters of marque or reprisal, which legally authorized them to seize Spanish ships and goods. These privateers' commissions were issued freely by belligerent powers to almost any ship-owner that applied for one, and as cruising for prizes was often a profitable speculation, a great many people did apply who were not concerned in the outcome of the war. In peace, letters of marque were an instrument of private redress, whereby a state authorized certain of its subjects who had received injury at the hands of foreigners to obtain compensation at the expense of the subjects of the offending state. Before letters of marque were granted, the injured party was obliged to have petitioned the sovereign of the aggressors for redress, and only in case of a refusal or unreasonable delay of justice was he permitted to take the law into his own hands.<sup>2</sup> As an instrument of justice this system must have been most commonly a failure. The exact amount of the injury could seldom be determined, and, when it could, the measure of indemnity claimed was apt to be in generous excess. The practice was a survival of the medieval treatment of aliens, and flourished in the time when justice between the subjects of one state and those of another was a matter of diplomacy and not of law.

In the Indies the last vestige of justice in the reprisal system disappeared, and English and Dutch, French and Portuguese peddled letters of marque freely to one another, and regularly to the

<sup>1</sup> John Esquemeling, *Bucaniers of America* (London, 1684), preface to the second edition. Although the introductory portion of this book, dealing with the pirates of Tortuga, is plainly romance grounded on hearsay, the part which deals with Morgan's adventures is confirmed by several narratives found in the *Calendar of State Papers* and later referred to in this article. The book was originally written in Dutch, printed at Amsterdam in 1678, and thereafter translated into Spanish, English, and French. Esquemeling is a fictitious name, but the author was probably a follower of Morgan as he represents himself, and his narrative, allowing for some fancifulness of details since the book was intended to entertain, is reliable. Morgan himself sued the printer of the English edition for calling him a pirate, whereas he was a privateer, and recovered £300 or £400 damages, but seems to have taken exception to nothing else said about him in the book. See *Correspondence of the Family of Hatton* (Camden Soc. Pub.), II. 225.

<sup>2</sup> Grotius, *The Rights of War and Peace*, bk. III., ch. II., sec. 4; also F. R. Stark, *The Abolition of Privateering and the Declaration of Paris* (New York, 1897), pp. 53 ff.

disadvantage of Spain, the richest prey in those parts.<sup>3</sup> Privateering became a profession having no necessary connection with the politics, commerce, or religion of those that practised it, though all of these motives continued to be used to disguise individual cupidity. By the Spaniard, since it mattered little by what rope he were hanged, privateers were regarded as pirates, as in act they were; captured privateers were treated no more leniently than the robbers who could show no papers.<sup>4</sup> Letters of marque were desirable as a protection from the interference of neutrals, and because they enabled the holder to bring his prize into port and sell it, not because they minimized the danger to his life.

The French appear to have been the first piratical invaders of the Indies. It is possible that the close commercial relations between Spain and Portugal first brought the French overseas to trade in Brazil,<sup>5</sup> whence it was no far step, either morally or geographically, to plundering raids in the Indies. As early as 1513, the Casa de Contratación at Seville was obliged to provide two caravels to protect the coasts of Cuba.<sup>6</sup> In 1521 the necessity of defending the lengthening coast-line of the Spanish colonies on the Main as well as among the islands led to the fitting out of a line of *guarda costas* for constant service in those seas.<sup>7</sup> The interminable wars of Francis I. and Charles V. gave French seamen impulse and excuse for a long series of marauding expeditions by land as well as by sea. A Milanese, Girolamo Benzoni, who has left an account of his travels in the Indies between 1541 and 1556, tells a

<sup>3</sup> Jean Baptiste Labat, a Dominican friar, who travelled in the French Indies in 1696, in praising Governor Ogeron of Tortuga, testifies to the freedom with which privateers' commissions were exchanged: "On n'a jamais vu de Gouverneur plus désintéressé que lui. A peine vouloit-il recevoir une légère portion de ce qui lui revenoit pour son droit des Commissions qu'il donnoit quand nous étions en Guerre. Et lorsque nous étions en Paix avec les Espagnols, et que nos Flibustiers n'ayant rien à faire auroient pû se retirer chez les Anglois de la Jamaïque, et y conduire leurs prises, il avoit soin de leur faire venir des Commissions de Portugal qui étoit pour lors en Guerre avec l'Espagne, en vertu desquelles nos Flibustiers continuoient de se rendre redoutables aux Espagnols." *Nouveau Voyage aux Isles de l'Amérique* (The Hague, 1724), II. 210-211.

<sup>4</sup> J. de Veitia Linage, *The Spanish Rule of Trade to the West Indies*, translated from the Spanish by John Stevens, London, 1702, p. 173: "The Admirals have order to put to Death any Pyrates they shall take . . . if they think fit not to put them to Death, they are to deliver them Prisoners at the India house. Formerly all were reputed Pyrates that were found beyond the Canary-Islands, Sailing towards the West-Indies."

<sup>5</sup> E. J. Payne thus accounts for the early appearance of the French on the coasts of South America. *History of the New World called America* (Oxford, 1892), I. 279.

<sup>6</sup> *Colección de Documentos Inéditos del Archivos de Indias*, series II., vol. VI., no. 281.

<sup>7</sup> *Monson's Tracts* (Navy Records Soc.), II. 321.

picturesque story of a French corsair who, in 1538, extorted a ransom of seven hundred ducats from the town of Havana, and, being chased by three Spanish ships, made prize of all three, then returned to Havana, and compelled another ransom to atone for the indignity of pursuit.<sup>8</sup>

The discovery of the mines of Potosi in 1545 and the astounding rumors of the treasure Spain reaped from them, made the security of ships and towns in the Indies still more precarious. From this time, too, the Huguenot seamen from Rochelle and Dieppe began their piratical cruising along the Main and among the islands. These fanatics were the most ruthless and cruel of all the freebooters that sailed those seas. They cut down their prisoners like dogs or devoted them to a slow torture in which they lingered miserably for days; the towns that fell into their hands were burned after being pillaged. By the middle of the sixteenth century nearly all the important coast settlements of Spanish America had been sacked at least once.

Laudonnière's Huguenot colony in Florida was regarded by Menendez, who destroyed it, as an attempt to establish headquarters conveniently close to Spanish dominions, whence their pirates could pounce upon the Mexican fleet before it reached Havana, or even seize upon Cuba.<sup>9</sup> Laudonnière himself tells of the difficulty he had in restraining his soldiers who "would enterprise somewhat against the King of Spaines Subjects".<sup>10</sup> His soldiers reasoned that "if their enterprise should bee misliked withall in France, they should bee alwayes able, by reason of the great wealth that they should gaine, to retire themselves into Italy, untill the heat were overpassed, and that in the meane season some warre would fall out, which would cause all this to be quite forgotten."<sup>11</sup>

That the English were not as prompt as the French in collecting a share of the Spanish treasure was not due to a more scrupulous conscience as regards piracy. Throughout the Middle Ages the

<sup>8</sup> Benzoni, *History of the New World* (Hakluyt Soc. Pub.), XXIV. 102. The *Col. Doc. Inéd.* contains numerous documents showing the constant dread of French privateers felt by Spanish officials in the West Indian coast towns, not only during the European wars but in the intervals between: series I., vol. I., pp. 511, 513, 543, vol. XII., p. 49 ff.; series II., vol. IV., p. 425, 440, vol. VI., pp. 22, 23, 25, 36, 73, 256, 297, 364, 376, 384, 386, 436.

<sup>9</sup> Of the French in Florida Menendez wrote: "If they shall proceed to the Islands, with the intent of committing robbery and cruelties, or shall attempt to lie in wait for any fleet from New Spain, I may be able to spy them and give such favors as I may be able, on the one side or the other." Massachusetts Historical Society *Proceedings*, second series, vol. VIII., p. 465.

<sup>10</sup> R. Hakluyt, *Principal Navigations* (Hakluyt Soc. ed.), IX. 40.

<sup>11</sup> *Ibid.*

Cinque Ports had swarmed with pirates who took toll of the commerce that passed through the Narrow Seas, sometimes as free-lance auxiliaries to the royal fleet in time of war, but quite as often in unmitigated piracy, not caring whether the prize were enemy, ally, or Englishman.

In the first half of the sixteenth century, however, the English pirates had not the provocation to extend their sphere of activities to the Indies which the wars of Francis I. offered the French corsairs. In these wars England was as a general thing on the side of the Empire and against France. Commercially the relations of England and Spain had been amicably adjusted on the basis of mutual freedom of trade by the treaty of 1515.<sup>12</sup> The first English vessels to enter the Caribbean came with peaceable intentions of trade and discovery, and it was in the effort to break down the Spanish monopoly of trade in the New World that the English finally took up the rougher game already begun by the French.<sup>13</sup>

The voyages of John Hawkins in 1562, 1564, and 1567, mark the transition in England's relations with Spain from the peace and alliance of the reigns of Henry VIII. and Mary to the almost fanatic enmity of the time of Elizabeth. Hawkins's disregard of the prohibitions from Madrid that met him on his second trading voyage to the Indies, and again and more stringently in 1567, and his warlike methods of forcing trade, brought about a definite rupture of the peace in his battle with a Spanish fleet in the harbor of Vera Cruz, which in turn led to the ample protracted reprisals of Francis Drake and lesser privateers and pirates, and hastened the inevitable war with Spain.

The recognized warfare of 1588 and the defeat of the Armada left the way to the Indies open, and English privateers in large numbers, nobles, courtiers, merchants, and ship-owners, crossed the Atlantic to seek easy fortunes for themselves, and, more or less incidentally, to win glory in serving their country.<sup>14</sup> The galleons

<sup>12</sup> J. Dumont, *Corps Universel Diplomatique du Droit des Gens*, vol. VI., pt. 1., pp. 204-209. English statesmen tried vainly to stretch this treaty to include free trade to the Indies. See Historical Manuscripts Commission, *MSS. of the Marquis of Salisbury*, II. 230, also X. 146.

<sup>13</sup> The severe penalties threatened to foreigners trading to the Indies by the Spanish laws resulted in a great deal of fighting on the sea, and the barbarity of their occasional enforcement gave foreign traders excuse for assuming the offensive. See Veitia Linage, pp. 128-129.

<sup>14</sup> Sir William Monson gives a list of the English privateers that went to the Indies during the war, and adds: "And thus have more seamen been consumed than in all other actions or enterprises against Spain. And no man dares reprove it, because the Lord Admiral is interested in all such prizes as these unprofitable ships take." Monson's *Tracts* (Navy Records Soc.), II. 238.



that carried the royal treasure to Spain sailed in fleets, protected from privateers by heavy armament and escorted by specially provided men-of-war,<sup>15</sup> but the luckless islands and coast towns were not valuable enough for such costly protection and continued the prey of every handful of ragamuffins that set upon them. The inhabitants had formed the habit as early as Hawkins's second voyage of scuttling away to the forests whenever a strange sail appeared off their coasts.<sup>16</sup> This inertness of the Spanish colonists, their inability to defend themselves from attack, is a monotonously constant feature in the history of the Indies. Their assailants were usually few and armed haphazard, relying for success on the demoralizing effect of a surprise, and the Spaniards after close on a century of experience were always surprised and always demoralized.

The death of Elizabeth and the conclusion of peace with Spain in 1604 closed English ports to Spanish prizes, and they remained closed during the reign of James. Throughout those endless, futile negotiations of the Spanish marriage the king's hand was heavy on such freebooters as fell in the way of his ships, and in final emphasis of his point of view he sent to execution Sir Walter Raleigh, one of the last of the Elizabethan sea-dogs "flesh'd in Spanish blood and ruine".<sup>17</sup>

In order to find a market for Spanish prizes from the Indies it became necessary for unreconstructed British seamen to seek authorization from some other power. Some asked for letters of marque from James's luckless son-in-law, the King of Bohemia.<sup>18</sup> Perhaps he saw the irony of inviting trouble in the West Indies when so much lay close at hand, for the letters were not forthcoming. In another quarter the English privateers received more encouragement. Spain was still trying to reduce to obedience the revolted Netherlands, and it is probable that many Englishmen served in Dutch privateers or themselves obtained letters of marque from the States General

<sup>15</sup> Veitia Linage, pp. 192 ff.

<sup>16</sup> "In this Island, notwithstanding that we were not within foure leagues of the Towne, yet were they so afraid, that not only the Governour himselfe, but also all the Inhabitants forsooke their Towne . . . and fled into the mountains." John Hawkins's second voyage in *The Hawkins Voyages* (Hakluyt Soc. Pub.), LVII. 26.

<sup>17</sup> Raleigh could not believe that the king's scruples against privateering were proof against Spanish gold. He is said to have mentioned to Sir Francis Bacon his attempt to capture the Spanish Plate Fleet on his way home from Guiana. Bacon protested that such an act would have been piracy. "Oh", replied Raleigh, "did you ever know of any that were pirates for millions? they only that work for small things are pirates." *The Discovery of the Large, Rich and Beautiful Empire of Guiana, performed by Sir Walter Raleigh, Knight* (Hakluyt Soc. Pub.), vol. III., app., p. 221.

<sup>18</sup> *Cabala or Mysteries of State* (London, 1663), p. 195.

during the reign of James. The Hollanders had made themselves redoubtable in the Indies after the fashion of the Elizabethan privateers in the last decade of the sixteenth century, and until the Peace of Westphalia their freebooters were a menace to Spanish commerce and the royal treasure.

Side by side with their privateering expeditions the Dutch carried on a profitable trade with the natives on the Main (and, when opportunity favored, with the Spanish colonies), which had thriven in spite of Spain's efforts to stamp it out.<sup>19</sup> The Spaniards were convinced that Englishmen were assisting the Dutch in both capacities, and when they caught an English vessel in the West Indies, the crew was handed over to the Inquisition, whose tenderest mercies were the prison or the galleys.<sup>20</sup> In 1606, only two years after the peace, the English ambassador at Madrid complained of this treatment of English mariners, and received from the Duke of Lerma the reply that the admiral who had so used the men should be called to account "for that he did not instantly execute them".<sup>21</sup>

The French appear to have been relatively few in the Indies for almost a quarter of a century after the Edict of Nantes conceded security and religious privileges to the Huguenots in France.<sup>22</sup> The field was clear for the Dutch and the English, and Thomas Gage, an English priest who began his travels in Spanish America in 1625, found the inhabitants in such abject dread of Hollanders and Englishmen that the rumor of their approach made them "sweat with a cold sweat".<sup>23</sup> The outbreak of the war between Spain and England on the accession of Charles I. in 1625 enabled the English

<sup>19</sup> Thomas Gray, an English sailor who had been a prisoner in Spain in 1600, reported on his return to England that a Spanish fleet of sixteen sail had been sent to the West Indies "to keep the Flemings and others from the trade of Margarita and Cumana and those parts". Hist. MSS. Com., *MSS. of the Marquis of Salisbury*, XI. 213.

<sup>20</sup> "The narrative of the voyage of Henry Challons, intended for Virginia", in 1606, tells of the capture of a number of English ships in the Indies. The writer concludes: "This I . . . noted to the end that it may be the better considered what numbers of ships and men have gone out of England, since the conclusion of the peace betweene England and Spaine, in the way of honest Trade and Traffique, and how many of them have miserably miscarried. Having beene slaine, drowned, hanged or pitifully captived, and thrust out of their ships and all their goods." *Purchas His Pilgrimes* (Hakluyt Soc. ed.), XIX. 296. Sir Thomas Roe, who had been sent by Prince Henry in 1611 on an exploration in South America, wrote that the Spaniards used Englishmen worse than they did the Moors. *Cal. St. P., Col.*, February 28, 1611, p. 11.

<sup>21</sup> Ralph Winwood, *Memorials of Affairs of State in the Reigns of Queen Elizabeth and King James I.* (London, 1725), II. 221.

<sup>22</sup> Thirteen men of Rochelle were hanged for piracy in Brazil, however, in a year not far from 1610. *The Voyage of Pyrard de Laval* (Hakluyt Soc. Pub.), vol. LXXX, bk. II., pp. 326-327.

<sup>23</sup> T. Gage, *New Survey of the West Indies* (London, 1699), p. 422.

rovers to take up privateering under their own flag once more, until the peace of 1630 recalled them.

At what date Europeans other than Spanish began actual settlement in the Indies is not exactly ascertainable. By the beginning of the seventeenth century Spanish occupation of the islands was confined to the Greater Antilles, and the settlements on these were scattered and sparsely populated. The whole arc of the Caribbees had been abandoned, in the case of some islands because of their unproductiveness, in that of others because they were inhabited by warlike natives not easy to dispossess. The available harbors of these smaller islands were known to the piratical seamen of the sixteenth century and to them they went for water and to careen their ships. The cattle introduced by the Spanish had, as early as 1564, increased overwhelmingly<sup>24</sup> and were running wild in many of the islands, which furnished an easy means of provisioning after the long voyage over. Temporary camps were probably made by the crews while hunting, and by mariners whose ships had been wrecked on unguessed shoals along the coasts, or by the resistance of Spanish galleons. As time went on certain of these stations became permanent rendezvous where the corsairs assembled for their more ambitious expeditions. At first they had no national character, but were road-houses for all strays and marauders in those seas. Guadeloupe was the first good harbor for ships coming from Europe, and Gage, who touched there in 1625, noticed that the canoes of the natives had been painted, some "by our English, some by the Hollanders, some by the French, as might appear by their several Arms, it being a common Road and Harbour to all Nations that sail to America".<sup>25</sup> The hunting-ground in West Hispaniola, which became a famous resort of pirates, grew into a colony in much the same way. The hordes of wild cattle offered an easy subsistence and the sailor-hunters learned to cure the meat over wood-fires, Indian fashion, the product being called *boucan*. As this method of provisioning became more and more an established avocation of the pirates, they began to be called by the French, *boucaniers*, which the English adopted as *buccaneer*.<sup>26</sup> By what has

<sup>24</sup> Hawkins, on his second voyage to the West Indies, marvelled at the "exceeding plenty of cattell" which ran wild on Curaçao and Santo Domingo. *The Hawkins Voyages*, pp. 36-37.

<sup>25</sup> Gage, p. 37.

<sup>26</sup> "They eate all their meate broyled on the coales, and dressed in the smoake, which in their language they call Boucaned." Hakluyt, *Principal Navigations*, VIII. 456. Labat gives this derivation of the word, but carries it farther back with the statement that the Indian huts in which the meat was stored were called *boucans*. Vol. II., p. 201.

the appearance of an exchange of titles, the French took up the English word *freebooter* as *flibustier*, which has been translated back into English with a new meaning as *filibuster*.<sup>27</sup>

On the heels of this spontaneous, irregular colonization began a more orderly settlement undertaken with the countenance of the European states. England, France, and the Netherlands began the establishment of colonies in the West Indies almost simultaneously in 1625.<sup>28</sup> By 1650 all the Caribbees were pre-empted except Dominica, St. Vincent, and Santa Lucia, where the natives continued to hold their own. The buccaneer camps here and there among the islands were overwhelmed by the new tide of settlement.

Spain watched this rush of colonization with misgiving for it seated her bitterest enemies at her doors. Several times Spanish forces drove out the trespassers in one or another of the islands, but as they were unable to garrison them sufficiently the former occupants would return and the work would be to do over again.<sup>29</sup>

By far the most troublesome neighbors to Spain were the English on the island of Providence and the buccaneer settlements on Tortuga and Hispaniola. The former colony, established in the year of the peace, 1630, was so close to the Main that its ships were easily able to harass the important line of communication between Carthagena and Porto Bello. As a business venture the plantation seems not to have been a success, but as a base of warlike operations against Spanish ships it proved highly satisfactory. The Company of Providence Island, which directed the affairs of the colony from London, was at first anxious to avoid antagonizing the Spanish, but after 1635, in which year Spanish forces made a vain attempt to regain the island, the king allowed the adventurers to retaliate, promising that "whatever they should take in the West Indies by way of reprisal, should be adjudged lawful".<sup>30</sup> With this permission the company set about avenging the attack; it engineered hostilities from England, appointed captains, issued instructions, and took account of prizes, like a board of war. Some of its captains held Dutch letters of marque as well as the English commissions.<sup>31</sup>

<sup>27</sup> Larousse, *Grand Dictionnaire Universel*, under *flibustier*.

<sup>28</sup> England claimed possession of Barbados in 1605, but actual settlement was not begun there till 1624-1625. C. P. Lucas, *A Historical Geography of the British Colonies* (Oxford, 1890), II. 49. On St. Kitts the beginnings of English colonization were made in 1623, but were insignificant until 1625, in which year a French colony was also established on the island. *Ibid.*, p. 134. English and Dutch took possession of Santa Cruz jointly in 1625. *Ibid.*, p. 50.

<sup>29</sup> Such attempts on the part of Spain to regain her lost possessions led to the expulsion of English and French settlers from St. Kitts and Tortuga, and of English from St. Martin's, Santa Cruz, and Providence. Thurloe, III. 59, 505.

<sup>30</sup> *Cal. St. P., Col.*, January 29, 1636, p. 220.

<sup>31</sup> *Ibid.*, March 26, 1636, p. 226.



Gage passed the island in 1637 in a Spanish ship bound from Porto Bello to Carthagena, and wrote: "the greatest fear that possess'd the Spaniards in this Voyage, was about the Island of Providence, called by them Sta. Catarina or St. Katherine, whence they feared lest some English ships should come against them with great strength. They cursed the English in it, and call'd the Island a den of Thieves and Pirates."<sup>32</sup> At Carthagena Gage found about a dozen English prisoners from Providence who had been taken at sea and were awaiting transportation to Spain.<sup>33</sup> In 1641 the Spaniards finally succeeded in retaking the island. England appears to have made no formal protest at the time, though at the outbreak of Cromwell's Spanish war some of the members of the Company of Providence Island received letters of marque in order that they might obtain compensation for their losses,<sup>34</sup> and in 1660 they again petitioned for license of reprisal.<sup>35</sup>

The buccaneer colony of Tortuga was destined to become a still more annoying thorn in Spanish flesh. It was the outgrowth of the hunting establishment in western Hispaniola, recruited probably by French and English refugees expelled by the Spanish from St. Kitts and other colonies. In 1630 or thereabouts, the buccaneers took possession of the small island of Tortuga, lying close off the northwest end of Hispaniola, and used it as a storehouse for their hides and smoked meat, continuing to hunt on the larger island.<sup>36</sup> As their coast lay along the Windward Passage between Cuba and Hispaniola, which, next to the Yucatan Channel around the west end of Cuba, was the most direct way out of the Caribbean to Havana, they were in a position to do considerable damage to Spanish ships. The colony was at one time a dependency of Providence,<sup>37</sup> later of French St. Christopher.<sup>38</sup> Several times Tortuga was retaken by the Spanish, but each time the buccaneers escaped to the forests of Hispaniola, from which they could not be dislodged unless the Spanish undertook to hunt them out one by one. In 1657 they had re-collected on Tortuga, and French and English interests in the Indies were in rivalry to furnish them a

<sup>32</sup> Gage, p. 451.

<sup>33</sup> *Ibid.*, p. 452.

<sup>34</sup> *Cal. St. P., Col.*, October 26, 1655, p. 431.

<sup>35</sup> Hist. MSS. Com., *Seventh Report*, app., p. 142 a, MSS. of the House of Lords.

<sup>36</sup> Labat, II. 202.

<sup>37</sup> The English at Tortuga petitioned the Company of Providence Island in 1631 to take Tortuga under its protection (*Cal. St. P., Col.*, May 24, 1631, p. 130), which the company did, obtaining an enlargement of its patent from the king (*ibid.*, May 1631, p. 131). As Association Island it remained English until its recapture by the Spanish in 1636 (*ibid.*, January 20, 1637, p. 244).

<sup>38</sup> Labat, II. 202.

governor.<sup>39</sup> The considerable majority of French inhabitants on the island inclined toward the French candidate and from 1659 Tortuga and an indefinite portion of western Hispaniola were accounted a part of the French colonial empire.

The community at Tortuga became a sort of piratical fraternity with a peculiar code of laws and customs.<sup>40</sup> The colony attracted the disorderly and rapacious from every quarter of the Caribbean, Dutch, English, and Portuguese, though the French element continued to predominate. The governors encouraged them in their piracies because of the wealth they brought back to the island.<sup>41</sup> Often the robbers were privateers sailing under the letters of marque of any power that would grant them, but this formality could be dispensed with on a pinch. They formed a sort of mercenary navy, unruly and barbarous, which was feared even by the colonies that made use of it. It was from Tortuga that the governors of Jamaica drew material for their buccaneering enterprises. Later, under cover of the wars of Louis XIV., the *flibustiers* of Tortuga terrorized the trade of the West Indies by their indiscriminate seizure of ships and their cruelty to captives. The character of the colony persisted until the accession of a Bourbon prince to the throne of Spain enforced peace between French and Spanish in the Indies.

The expedition which Cromwell sent against Hispaniola in 1654 was a reversion to the methods of Drake almost a century after their time. The Protector regarded the attack not as war but as reprisal;<sup>42</sup> he intended it as a threat which should humble Spain into granting the concessions he demanded: liberty of trade between England and her own West Indian colonies, and the security of English

<sup>39</sup> Thurloe, VI. 391.

<sup>40</sup> One of these customs was the practice of insuring the participants in any enterprise against wounds or mutilation: if a buccaneer lost his right arm in an encounter with the enemy, he received 600 pieces of eight or six slaves, for the left arm, 500 pieces of eight or five slaves, and so on down the list of possible injuries. Esquemeling, I. 42; Labat, I. 75. A later confirmation of this custom is Kidd's agreement with his men. *Cal. St. P., A. and W. I.*, April 23, 1700, p. 199.

<sup>41</sup> For the encouragement given the buccaneers by the French governors of Tortuga, see Labat, II. 5 ff.

<sup>42</sup> Even at this date uncertainty prevailed as to whether war in the West Indies would involve the two states in Europe: "... though it be beyond the line, yet I cannot imagine that the Spaniards can find themselves assaulted in so important a part and remain friends with them that do it." *Clarendon State Papers*, III. 264, Lord Jermyn to the king. "... notwithstanding our warr wi h the Spaniard in America, it is possible, if not reasonable to expect that wee may have peace and trade in Europe." *The Clarke Papers* (Camden Soc. Pub.), III. 205, Edward Montagu's notes on the debates in the Protector's Council concerning the expedition.

merchants and seamen from the Inquisition. The event proved that he had underestimated the mettle of his adversary and the difficulty of the undertaking. The attack on Hispaniola failed, but Jamaica, thinly populated and unfortified, was easily occupied. There is no evidence that the pirates of those seas either hindered or aided the expedition.<sup>43</sup> Tortuga had been recaptured by Spain for the second time in the year of the fleet's arrival in the Indies,<sup>44</sup> and the buccaneers were for the moment scattered and powerless.

With the conquest of Jamaica the great era of buccaneering began, for, from the point of view of the piratical profession, the island offered an ideal base of operations. The Lesser Antilles were too remote from the ordinary paths of Spanish commerce for their inhabitants to be tempted often from the way of peace. The same may be said of Barbados, which had the further disadvantage of a lack of good harbors. Jamaica, however, was "a citadel over all the Spanish West Indies";<sup>45</sup> its coasts lay close to those of Cuba and Hispaniola, and it commanded the straits between from the south. "Not a ship can stir for Carthogene or Cuba, but must come in view of this island", wrote Fortescue, the first military governor of Jamaica.<sup>46</sup> In number of good harbors Jamaica was the most fortunate of all the West Indies, having available roadsteads on every coast.

The encouragement that the governors of Jamaica gave the buccaneers was at first forced upon them by the danger of attack from the Spanish Indies. The breath of a rumor of Spanish troops mustering, and the Jamaicans were in a tumult of fright and suspicion, for which there was genuine cause, ridiculous as it now

<sup>43</sup> G. W. Bridges asserts that the buccaneers assisted Penn's fleet as privateers (*Annals of Jamaica*, London, 1828, I. 206), but does not give the source of his information. A paper addressed to the Protector and Council and signed by the officers of Venable's army, July 18, 1655, suggests that admiralty courts be erected in Jamaica and commissions be granted to private men-of-war (Thurloe, III. 661), which would indicate that hitherto no such commissions had been issued. In July, 1657, General Brayne, then commanding the army in Jamaica, complained: "Our commission for a court of admiralitie is of noe use to us, for the securities to be given, and other niceties in it, hath detained us from granting any lettres of mart, which hath bin a very great losse to the state, for the French generall graunts to all that aske, whereby he brings in a very considerable revenue." *Ibid.*, VI. 391.

<sup>44</sup> The English found Tortuga deserted in 1656, but a Spanish proclamation was posted on the island dated August 25, 1655, forbidding Dutch, French, or English to settle there. *The Narrative of General Venables*, edited by C. H. Firth, Royal Hist. Soc. Pub., app. F, pp. 170-171.

<sup>45</sup> A summary prospect of the advantages and conveniences capable to arise to his Majesty from the planting of Jamaica. *Cal. St. P., A. and W. I.*, 1670 (?), p. 150.

<sup>46</sup> Thurloe, III. 674.

seems. In capturing Jamaica England had not stepped into occupation of a deserted and insignificant island in the wake of Spanish colonial advance, but had conquered an actual Spanish dependency, and her possession of it would be not merely a standing refutation of the claims in which Spain still persisted, but a menace to the oldest and richest parts of the Spanish dominions overseas. It was many years before Spain could be brought to acknowledge that Jamaica was English territory,<sup>47</sup> and the interval was one of painful uncertainty to the English colonists on the island, who, remembering what had befallen St. Kitts and Providence, could not be sure that even the conclusion of the war would secure them from attack. Jamaica was a thousand miles from Barbados, eight hundred from St. Kitts; if beset by the enemy it could depend only upon its own resources for defense. In view of these facts it is not surprising that the Jamaicans fell into the way of interpreting all signs from the Spanish Indies as war's alarms, and began early to patronize the buccaneers who were willing to fight and rob the Spanish for any one that would give them papers.

Letters of marque were conferred at first chiefly on the freebooters from Tortuga, Frenchmen for the most part, with a sprinkling of Dutch, English, and Portuguese; but it is probable that the army left in Jamaica took kindly to the profession, for the number of English privateers increased rapidly. The island had a population of but three thousand at the time of the English conquest, of which a large part were negro slaves, and of the whites perhaps half were Portuguese.<sup>48</sup> Cromwell proposed to send over shiploads of "idle, masterlesse vagabonds and robbers" from Scotland,<sup>49</sup> and this plan, if carried out, must have helped to establish the lawless reputation of the colony and furnished good material for privateering. Whether begun by Cromwell or not, this policy was certainly carried on vigorously after the Restoration.<sup>50</sup> It happened not uncommonly that indentured servants who had run away or had completed their term of service became apprentices in piracy at

<sup>47</sup> The treaty of 1670 tacitly admitted the English right of possession, but even there Jamaica was not specifically named.

<sup>48</sup> *The Narrative of General Venables*, p. 47.

<sup>49</sup> Thurloe, IV. 129. A large number of these "idle vile rogues" were collected (*ibid.*, IV. 695-696), but I find no order for their actual embarkation.

<sup>50</sup> Irish criminals in large numbers were deported and dumped on the West Indian islands (see the petitions of such persons listed among the Ormonde MSS., Hist. MSS. Com., *Ninth Report*, pt. II., app., and *Tenth Report*, pt. v., app.); a large proportion of them must have found their best chance of fortune in Jamaica. That English convicts were got rid of in the same way is well known; Jamaica seems to have been particularly favored. *Acts of the Privy Council, Colonial*, June 19, 1661, p. 310; July 19, 1661, p. 314; July 24, 1661, p. 315.



Tortuga, whence they would return to Jamaica for employment.<sup>51</sup> A new town, Port Royal, on what is now Kingston Harbor, sprang into existence, winning to itself at once a large population that hoped to find the short cut to fortune through privateers' spoils. The old Spanish capital of Jamaica, St. Jago de la Vega, was out of touch with the sea, having been built a few miles inland to be safe from the old Huguenot pirates, and so, unsought by the adventurers that swarmed into Port Royal, remained obscure and insignificant but keeping—even to this day—a Latin leisureliness and dignity.

The conclusion of the war between England and Spain did not end the privateering from Jamaica. No recognition of the English title to the island was secured, so the danger of Spanish reconquest continued imminent. By the middle of 1660 the last English frigate had started home,<sup>52</sup> leaving the island with no naval protection other than that afforded by the privateers. Early in 1661, Governor D'Oyley, having received the king's orders to cease all hostilities against the subjects of the King of Spain, ordered all captains of ships of war out on his commission to return at once for further instructions.<sup>53</sup> There is no indication that he actually revoked the commissions at this time; it is quite likely that the privateers refused to come in, as they did in the case of similar summonses afterward. The insubordinate character of the people D'Oyley was attempting to govern is shown by the fact that when he called a council to consider the restitution of certain Spanish negroes seized after the peace had been proclaimed, the council decided that "the Proclamation did not concern this side of the line", and D'Oyley concluded that it was wisest to drop the matter, "having already, by the order for cessation, sufficiently enraged the populace, who live only upon spoil and depredations, and whom nothing but strict law and severe justice can keep in obedience".<sup>54</sup>

On August 2, 1661, Lord Windsor was commissioned governor of Jamaica to succeed D'Oyley. In his instructions he was urged "to endeavor to obtain and preserve good correspondence and free commerce with the plantations belonging to the King of Spain, but if the Governors of said King refuse, to endeavor to settle such trade by force, and by doing such acts as the Council shall judge most proper . . . to admit them to a free trade".<sup>55</sup> England had,

<sup>51</sup> Both Henry Morgan and the author of *Bucaniers of America* had been indentured servants before they became privateers. Esquemeling, vol. I., pt. I., pp. 10-11, and pt. II., p. 32.

<sup>52</sup> *Cal. St. P., Col.*, July 26, 1660, p. 485.

<sup>53</sup> *Cal. St. P., A. and W. I.*, February 5, 1661, p. 5.

<sup>54</sup> *Ibid.*, March (?), 1661, p. 21.

<sup>55</sup> *Ibid.*, April 8, 1662, p. 85.

by the Navigation Acts of 1650 and 1651, re-enacted in 1660, shut other nations out of trade with her colonies, but she was far from resignation to the similar policy of Spain. The Royal African Company, chartered in 1660, had obtained the sole right of trade between England or her colonies and Africa, the most important part of this concession being the monopoly of the slave-trade. In addition to supplying the English plantations with blacks, the company was attempting to slip into a covert trade with the Spanish colonies where larger profit lay. In this it met with the determined rivalry of better accredited traders, for Genoese merchants had secured an *assiento* from Spain to supply the Spanish plantations with slaves for seven years, and they had contracted with the Dutch to deposit the negroes at Curaçao whither the Spaniards came to buy them.<sup>56</sup> The Genoese were able to undersell the Royal Company, and though for a couple of years after the Restoration occasional Spanish ships touched at Barbados and even at Jamaica for negroes, the golden future that the company saw in this beginning did not materialize and the ships ceased to come, partly because of the export duty of ten pieces of eight per head which they must pay in addition to the price of the negroes,<sup>57</sup> and partly because the piracies of the English frightened them off. As the king, the Duke of York, other members of the royal family and prominent men at court were shareholders in the African Company, it is not surprising to find it exerting paramount influence on British policy in the Indies. Lord Windsor's instructions indicate the alternative now proposed in the company's interests to the Spanish governors: Give us your trade or we will ruin it.

Windsor made prompt use of the *carte blanche* of his instructions. Being refused trade at Porto Rico and Santo Domingo,<sup>58</sup> he sent an expedition against Santiago de Cuba in September, 1662, which captured and sacked the town,<sup>59</sup> then having secured his share of the plunder, the governor set sail for home in October, leaving the administration in the hands of the deputy-governor, Sir Charles Lyttleton.<sup>60</sup> "These young lords are not fit to do any service abroad", was Pepys's comment when he heard of Windsor's return.<sup>61</sup> A letter from the king to Lyttleton referred leniently to the affair of Santiago de Cuba, but forbade similar undertakings on the ground

<sup>56</sup> *Ibid.*, May 25, 1664, p. 211.

<sup>57</sup> *Ibid.*, November 20, 1663, p. 169.

<sup>58</sup> *Ibid.*, August 20, 1662, p. 106.

<sup>59</sup> Hist. MSS. Com., Heathcote MSS., pp. 34 ff.; Captain Chris. Mines to [Lord Windsor].

<sup>60</sup> *Cal. St. P., A. and W. I.*, October 24-28, 1662, p. 112.

<sup>61</sup> *Diary and Correspondence of Samuel Pepys* (London, 1869), I. 383.

that they would disable Jamaica for its own defense and divert the inhabitants from planting.<sup>62</sup> This prohibition reached Jamaica in time to stay a second expedition—this time against the Main—which Lyttleton was preparing.<sup>63</sup> Later in that same year, 1663, orders from the king forbidding any further attacks upon the Spanish were read in the Council of Jamaica, and the minutes add that all private men-of-war were to be called in at once.<sup>64</sup> But contradictory orders from the Duke of York, who as lord high admiral was interested in the continuance of his income from the tenths of prizes, convinced Lyttleton that “the war with privateers was not intended to be taken off by the King’s instructions”, and he did not revoke the commissions.<sup>65</sup> The privateers continued to bring in Spanish prizes, and the Spaniards retaliated when they could, which was frequently enough to keep the Jamaicans restless and vengeful.

A new governor of Jamaica to succeed Windsor was not appointed until February, 1664, when Sir Thomas Modyford received the royal commission. Modyford was a cousin of the first Duke of Albemarle<sup>66</sup> and had fought for the king in the Civil War. In 1647 he left England for Barbados, where he owned a large plantation and soon became one of the influential men of the island. He was at first an ardent Royalist and joined in the opposition to the Commonwealth fleet under Sir George Ayscue which demanded the surrender of the island in 1651.<sup>67</sup> After the news of the Royalist defeat at Worcester reached Barbados, Modyford’s loyalty became less pronounced. He entered into secret negotiations with Ayscue and finally went over to the enemy, taking with him the regiment of which he was colonel.<sup>68</sup> Shortly before the Restoration Modyford was appointed governor of Barbados in recognition of these services,<sup>69</sup> although he was heartily hated on the island. Charles II., however, chose to reward the sturdy loyalty of Francis, Lord Willoughby, with the government of Barbados, but although Modyford had made ardent profession of his allegiance to the Cromwellian government,<sup>70</sup> Monk’s influence saved him from disgrace, and in 1664 he received the appointment to Jamaica and the dignity of

<sup>62</sup> *Cal. St. P., A. and W. I.*, April, 1663, p. 129.

<sup>63</sup> *Correspondence of the Family of Hatton*, I. 30.

<sup>64</sup> *Cal. St. P., A. and W. I.*, August 11, 1663, p. 152.

<sup>65</sup> *Ibid.*, October 15, 1663, p. 164.

<sup>66</sup> *Ibid.*, August 31, 1663, p. 157.

<sup>67</sup> N. D. Davis, *Cavaliers and Roundheads of Barbados* (Georgetown, British Guiana, 1887), pp. 153-155, 217-219.

<sup>68</sup> Davis, pp. 233 ff.

<sup>69</sup> *Cal. St. P., Col.*, July 16, 1660, p. 484.

<sup>70</sup> Additional MSS., 35251, f. 39. Protestation of loyalty to the Protector’s government by Thomas Modyford of Barbados, 1656.

baronet. He was energetic and capable, but impetuous, short-sighted, and none too honest in the use of his office. However, since his salary appears to have been irregularly paid, it is hardly surprising that he turned his authority to account in any way that opened.<sup>71</sup>

The instructions given Modyford with his commission ordered him "to prohibit the granting letters of marque, to encourage trade, and particularly to keep good correspondence with the Spanish Dominions".<sup>72</sup> Modyford set about accomplishing these matters with "a heart full of alacrity". He wrote a suave letter to the governor of Santo Domingo, concluding: "In the meantime let us not only forbear all acts of hostility, but give each other the free use of our respective harbours and the civility of wood, water, and provisions for money."<sup>73</sup> The bearers of this olive-branch were further instructed to sound the inhabitants concerning a trade at Jamaica in slaves.<sup>74</sup>

In regard to the privateers Modyford sent out a vessel to call them in and issued a proclamation ordering that all Spaniards be treated as friends and allies, and that no seizures of their ships or goods should be made by virtue of any commission.<sup>75</sup> The success of both of these measures is described in a letter from Colonel Thomas Lynch, who had lived in Jamaica since the English conquest of the island, to Sir Henry Bennet, Secretary of State:

The Swallow and Westergate went to San Domingo, where Col. Cary, C. Hemlock, and J. Perrott obtained a favourable answer to Sir Thos. Modyford's overtures of peace, but it is improbable Jamaica will be advantaged by it, for it is not in the power of the Governor to have or suffer a commerce, nor will any necessity or advantage bring private Spaniards to Jamaica, for we and they have used too many mutual barbarisms to have a sudden correspondence. . . . The calling in the privateers will be but a remote and hazardous expedient, and can never be effectually done without five or six men-of-war. If the Governor commands and promises a cessation and it be not entirely complied with, his and the English faith will be questioned and the design of trade further undone by it. Naked orders to restrain or call them in will teach them only to keep out of this port, and force them (it may be) to prey on us as well as the Spaniards. What compliance can be expected from

<sup>71</sup> Modyford is said to have accepted a leopard's skin filled with pistons as a gift for his acquiescence in granting commissions to privateers. Bridges, I. 264. According to his son's account, the governor received a twenty-pound fee for each commission. *Cal. St. P., A. and W. I.*, June 28, 1671, p. 235. Modyford's salary of £1000 was supposed to come out of an imposition on liquors, but Charles Modyford stated that the income thus derived averaged only £600 a year. *Ibid.*

<sup>72</sup> *Ibid.*, February 18, 1664, p. 187.

<sup>73</sup> *Ibid.*, April 30, 1664, p. 208.

<sup>74</sup> *Ibid.*, May 2, 1664, p. 209.

<sup>75</sup> *Ibid.*, June 15, 1664, p. 220.



men so desperate and numerous, that have no other element but the sea, nor trade but privateering. There may be above 1,500 of them in about 12 vessels, who if they want English commissions can have French and Portugal papers, and if with them they take any thing they are sure of a good reception at New Netherlands and Tortugas. And for this we shall be hated and cursed, for the Spaniards call all the rogues in these seas, of what nation soever, English. And this will happen, though we live tamely in Jamaica, and sit still and see the French made rich by the prizes, and the Dutch by the trade of the West Indies.<sup>76</sup>

It soon became clear that Lynch was right. Only three of the privateers having Lord Windsor's commission came in, one of them bringing a Spanish prize with him.<sup>77</sup> The rest stayed out, and the fear lest they should ally themselves with the French at Tortuga, or even with the Spanish, and turn upon Jamaica, alarmed both Modyford and his deputy-governor, Colonel Edward Morgan, into urging upon the government at home the wisdom of a milder policy. As a step toward the moderation he advised, the governor had the latest Spanish prize condemned by the Admiralty Court, and himself bought up the cargo—for considerably less than it was worth—under a pseudonym.<sup>78</sup> Before news of this discreet arrangement could have reached England, a letter from the king arrived expressing displeasure at the continued depredations upon Spanish ships and subjects, and reiterating Modyford's previous instructions to prohibit such violences for the future and punish the offenders.<sup>79</sup> In a spasm of obedience the Council of Jamaica ordered that persons making any further attempts upon the Spaniards be looked upon as pirates and rebels.<sup>80</sup> So positive had the tone of these orders been that the council was entirely bewildered when a letter from the Duke of York enjoined the governor to take care of the lord admiral's dues from all men-of-war.<sup>81</sup>

The lukewarm efforts of the council to get the privateers into port did not induce many of them to put their reception to the test, and at the close of 1664 but fourteen out of the fifteen hundred which Lynch had estimated were in custody at Port Royal. The situation was opportunely relieved, however, by the imminence of the Dutch War which provided an outlet for the energies of the privateer-pirates. Early in 1665 the governors of the Foreign Plantations were authorized to grant letters of marque against the

<sup>76</sup> *Cal. St. P., A. and W. I.*, May 25, 1664, p. 210.

<sup>77</sup> *Ibid.*, June 26, 1664, p. 218.

<sup>78</sup> *Ibid.*, August 10, 1664, p. 224, and November (?), 1665, p. 327.

<sup>79</sup> *Ibid.*, June 15, 1664, p. 215.

<sup>80</sup> *Ibid.*, August 19-22, 1664, p. 228.

<sup>81</sup> *Ibid.*, 1664 (?), p. 238.

Dutch.<sup>82</sup> Modyford was delighted to be able to obey orders, conciliate the populace of Port Royal, and obtain his fee from commissions. He pardoned his fourteen pirates, condemned to be hanged, and sent them out to cruise against the Dutch.<sup>83</sup> He had or said he had evidence that both the French at Tortuga and the Dutch at Curaçao were issuing letters of marque to English privateers, and enthusiastically planned to bundle both nations out of the Indies.<sup>84</sup> The privateers accepted the bait that he had to offer, and in April, 1665, a fleet of ten sail and five hundred men, whom Modyford called "reformed privateers", set out from Port Royal under the deputy-governor, Colonel Morgan, with the intention of attacking the Dutch fleet trading at St. Kitts, capturing the three Dutch islands, St. Eustatius, Saba, and Curaçao, and, on the way home, stopping at Tortuga; whether they intended to take this last island away from the French or merely to recruit their number from the buccaneers there, is not clear.<sup>85</sup>

The expedition, disorderly and mutinous from the start, proceeded first against St. Eustatius. Colonel Morgan, overcome by the heat, died while the landing was being made, but the privateers carried through the attack, and the Dutch governor surrendered the fort almost without attempting defense. Part of the fleet then crossed to the near-by island of Saba, which was taken with as little difficulty.<sup>86</sup> At this point the expedition, thoroughly demoralized by the death of Morgan, went to pieces; every man set about securing his share of the booty and thought no more about Curaçao. Modyford was disappointed but not discouraged. With the assistance of Captain Edward Mansvelt, a freebooter who had won reputation by piracies in the South Sea and a raid through the province of New Granada,<sup>87</sup> he assembled a new fleet of privateers to send against Curaçao.

This expedition did not leave Jamaica until the middle of January, and in the meantime the agitation for letters of marque against Spain began anew. Modyford wrote home: "The Spanish prizes have been inventoried and sold, but the privateers plunder them and hide the goods in holes and creeks, so that the present orders little avail the Spaniard, but much prejudice his Majesty and his Royal Highness in the tenths and fifteenths of prizes."<sup>88</sup> The Council of

<sup>82</sup> *Ibid.*, January 9, 1665, p. 269.

<sup>83</sup> *Ibid.*, February 20, 1665, p. 280, and February (?), 1665, p. 281.

<sup>84</sup> *Ibid.*

<sup>85</sup> *Ibid.*, April 20, 1665, p. 292.

<sup>86</sup> *Ibid.*, August 23, 1665, p. 319; October 13, 1665, p. 324; November 16, 1665, p. 329.

<sup>87</sup> Esquemeling, vol. I., pt. I., p. 53.

<sup>88</sup> *Cal. St. P., A. and W. I.*, November 16, 1665, pp. 329-330.

Jamaica followed up this tactful argument with an array of reasons why the granting of commissions against Spain would benefit the island. It was stated that this privateering enriched Jamaica by replenishing it with coin, bullion, cocoa, logwood, hides, tallow, cochineal, etc., thereby encouraging trade; that it gave security to the island, negatively by affording employment to the buccaneers of Hispaniola and Tortuga, who otherwise might be used against them, and positively by maintaining "a high and military spirit among the inhabitants", and enabling them to intercept Spanish despatches and discover the machinations preparing against them; lastly, that it was the only way of forcing the Spaniards to give them their trade.

All ways of kindness producing nothing of good neighbourhood, for though all the old commissions have been called in, and no new ones granted, and many of their ships restored, yet they continue all acts of hostility, taking our ships and murdering our people, making them work at their fortifications and then sending them into Spain, and very lately they denied an English fleet bound for the Dutch colonies wood, water, or provisions.<sup>89</sup>

The minutes of the council did not explain that the fleet so inhospitably received was Mansvelt's privateer navy, composed largely of buccaneers whose cruelty and rapacity the Spaniards had good reason to know.<sup>90</sup> It is hardly likely that the fleet should have been in need of wood, water, and provisions when it had just left Jamaica, where it had fitted, and where it might quite as easily have returned—barring stress of weather—as to have put in at a Cuban port. And their provisioning was rather roughly done, for they sacked and burned the town of Sancti Spiritus by virtue of Portuguese commissions which some of them held.<sup>91</sup>

In the summer of 1665 four towns on the Bay of Mexico had been pillaged by pirates who still cherished Lord Windsor's commission, having managed to avoid hearing of the recall by remaining out twenty-two months.<sup>92</sup> As the English were held responsible for these attacks by the Spanish, and as they received all the odium, Modyford and the Jamaicans generally argued that they might as well receive the profit and security which they believed would attend the regular employment of the privateers by Jamaica.

All this Modyford urged in his letters to the Duke of Albemarle, to whom, as deputy of the lord high admiral, he had been referred for instructions in this matter. Albemarle's answer, which arrived

<sup>89</sup> *Cal. St. P., A. and W. I.*, February 22, 1666, pp. 358-359.

<sup>90</sup> *Ibid.*, March 8, 1666, p. 363; also March 1, 1666, pp. 359-361.

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.*

near the end of February, 1666, bade the governor use his discretion in regard to issuing commissions against Spain.<sup>93</sup> This order was no doubt the result of solicitude concerning the admiral's share in prizes; if the interests of the Royal African Company were taken into consideration—and it is hard to believe they were not in any matter brought before the Duke of York—Modyford's point of view that the Spanish governors would be frightened into conniving at the desired trade, must have prevailed. The equivocal way in which the right to issue the commissions was granted would place the responsibility for the acts of the privateers on Modyford, and would enable the government to slip out of possible entanglements with Spain. Modyford immediately communicated the glad intelligence to the buccaneers at Tortuga, and received in return a letter signed by their officers, "professing much zeal to his Majesty's service, and a firm resolution to attack Curaçao".<sup>94</sup>

At Tortuga the French governor, Ogeron, could provide the buccaneers with Portuguese letters of marque, Portugal being still at war with Spain for her independence. But Modyford knew that Jamaica was a better market for prizes than Tortuga, and he hoped to bribe the buccaneers into attacking the Dutch, who were comparatively poor prey, by throwing in commissions against Spanish commerce, which was rich. The Dutch island of Tobago had been taken in January by two privateers from Jamaica with eighty men;<sup>95</sup> if Curaçao could be captured the Dutch would be expelled from the Indies as they had been from New Netherland. Modyford fully expected that Mansvelt's privateers would achieve this, but Lord Willoughby, governor of Barbados, was not so sanguine: "they are all masters", he wrote of the privateers, "and reckon what they take to be their own, and themselves free princes to dispose of as they please."<sup>96</sup>

The Curaçao fleet commanded by Mansvelt numbered fifteen ships and five or six hundred men, according to Esquemeling, mostly

<sup>93</sup> This letter from Albemarle is not calendared, and we have only Modyford's acknowledgment of it (*Cal. St. P., A. and W. I.*, March 1, 1666, p. 361): "A letter has arrived from his brother James of June 1 (1665), inclosing one from his Grace, giving the Governor latitude to grant or not to grant commissions against the Spaniards." Again in a letter to Lord Arlington (August 21, 1666, p. 406), Modyford mentions this permission: "... the Lord General ... upon serious consideration with his Majesty and the Lord Chancellor, by letter of June 1, 1665, gave Modyford latitude to grant or not commissions against the Spaniard, as he found it for the advantage of his Majesty's service and the good of this island."

<sup>94</sup> *Ibid.*, March 8, 1666, p. 363.

<sup>95</sup> *Ibid.*, January 29, 1666, p. 354.

<sup>96</sup> *Ibid.*



Walloons and French.<sup>97</sup> Captain Henry Morgan, who had just returned from the raid on the Mexico towns, was appointed vice-admiral by Mansvelt. Interest in the Dutch was feeble from the first and soon vanished entirely. The men on board the "admiral" declared that there was more profit and less hazard in attacking the Spanish, and the fleet melted away, some returning to Tortuga, while others with Mansvelt and Morgan proceeded to attack the island of Providence, which a Spanish garrison had held since its recapture from the English in 1641. Stragglers from the disrupted fleet brought the rumor to Modyford that the buccaneers intended to set up an independent government at Providence, and this is borne out by Esquemeling's narrative. The Spanish garrison was indisposed to fight and surrendered the forts to Mansvelt, who ordered all except one demolished, sacked the island, and deported the Spanish prisoners to Tierra Firma. Then his fleet cruised along Costa Rica, but was driven off by the appearance of a Spanish force under the governor of Panama, and returned to Jamaica to get reinforcements for Providence.

To Modyford Mansvelt offered fair excuses for not proceeding against Curaçao, and said he had attempted Providence because he was resolved never to see the governor's face again until he had achieved some service for the king.<sup>98</sup> Modyford wrote home for instructions, but in the meantime, feeling that it would be imprudent not to accept the conquest, "considering its good situation for favouring any design on the rich main", dispatched reinforcements to the small garrison Mansvelt had left in possession.<sup>99</sup>

Mansvelt himself went on to Tortuga to obtain still other recruits for the new buccaneer stronghold, but he died or was captured on the way, and his intention, if such it was, to establish a piratical principality disappeared with him.<sup>100</sup> Modyford's garrison held Providence until August, 1666, when four Spanish vessels sent from Tierra Firma laid siege to the island and in three days forced its surrender.<sup>101</sup>

This was the fate of all conquests of the buccaneers. Early in

<sup>97</sup> Esquemeling's account of this expedition, vol. I., pt. I., pp. 32-34, agrees substantially with that of Modyford in his letters of June 8 and June 16, 1666, to Albemarle and Arlington. *Cal. St. P., A. and W. I.*, pp. 387-389.

<sup>98</sup> *Ibid.*, June 16, 1666, pp. 388-389.

<sup>99</sup> *Ibid.*

<sup>100</sup> Esquemeling, vol. I., pt. II., p. 34.

<sup>101</sup> The translation of a Spanish narrative of the recovery of the island is included by Esquemeling, vol. I., pt. II., pp. 35 ff. The deposition of the English officer whom Modyford had put in charge of the garrison is in the *Cal. St. P., A. and W. I.*, August 19, 1666, p. 605.

1667 St. Eustatius and Saba were retaken by the Dutch with the aid of the French;<sup>102</sup> Tobago, too, fell back into the hands of the Dutch at about the same time.<sup>103</sup> The buccaneers were raiders, not soldiers; after they had plundered a town they were eager to go on to the next or to return to Jamaica to dispose of the booty. To linger on the scene of their successes would be to await certain attack from the Spanish, whose forces, once mustered, were generally much stronger numerically and in equipment than the buccaneers. Jamaica had not men enough to spare adequate garrisons for the conquests made in her name, and so one after the other fell away.

France entered the war on the side of the Dutch in 1666, and a French fleet was sent to the West Indies to operate against the English colonies. Antigua and Montserrat were obliged to surrender; English St. Kitts was conquered by the French from the other side of the island, the only creditable feature of the defense, according to report, being the fighting of two hundred buccaneers from St. Eustatius.<sup>104</sup> In the following year, 1667, the French and Dutch recovered St. Eustatius and Saba, as before stated, and the Dutch fleet took British Guiana.

These successes of the enemy cowed the bellicose spirit of Jamaica. The island was put under martial law and Modyford organized no more aggressive expeditions, though he diplomatically wooed the French Protestant buccaneers of Tortuga to prey upon their own countrymen. He had availed himself of Albemarle's permission to issue letters of marque against Spain, and, news of this change of front having reached the pirates abroad in the Caribbean, many of them came in to obtain commissions, vowing obedience to the governor and loyalty to the king.<sup>105</sup> Although theoretically they were employed to defend the island from the Dutch and French, and were only incidentally to find recompense for themselves in Spanish prizes, they paid slight attention to the direction of the war, but devoted themselves to the old robbery of the old enemy. Port Royal, which had been threatened with stagnation, prospered once more on the wealth that the buccaneers brought in but were too ignorant and spendthrift to keep.

Despoiled Spanish merchants petitioned Charles II. for redress

<sup>102</sup> *Ibid.*, February 2, 1667, p. 445.

<sup>103</sup> Lucas, II. 256.

<sup>104</sup> *Cal. St. P., A. and W. I.*, May 12, 1666, p. 382.

<sup>105</sup> *Ibid.*, March 8, 1666, p. 363, also August 21, 1666, p. 405

and in two cases order was given and insisted upon for restitution,<sup>106</sup> but in the case of a ship seized before the treaty of 1667, restitution was refused, the Council replying to the Spanish ambassador who had interested himself in the matter, that "the Spaniards have likewise taken severall Shipps from the English, in so much that the Violentes and Hostile Actions of the Spaniards upon his Majestys Subjects in those parts do Exceed those of the English upon the Spaniards."<sup>107</sup> If the Council had intended to put a stop to the business of privateering, it is difficult to see why orders to such effect were not sent to Modyford when he was directed to return the two prizes.

The admiralty, which had the greater interest in prizes, was always more complaisant than the King and Council, who must bear the brunt of protests from Spain. Modyford's relationship with Albemarle made him rely on the duke to "bring him off", as he said, in the event of the Council's insisting on a more scrupulous maintenance of treaty obligations to Spain. He was never thoroughly comfortable in his buccaneering policy, as his letters show, fearing lest Spanish influence or a change of attitude on the part of the Royal African Company should undermine his position. If definite instructions had been sent him, forbidding the employment of the privateers, it is probable that he would have checked their depredations, or at least withdrawn his encouragement, out of consideration for his own welfare; but such orders as came were regularly discounted by semi-official advice or condonement from Lord Arlington and the Duke of Albemarle. In regard to the taking of Providence, Modyford's action was virtually ratified by the appointment of his brother, Sir James Modyford, to be governor of the island.<sup>108</sup>

One other incident goes to show that the attacks on Spain in the Indies were not regarded as reprehensible by Englishmen at home: When the Spanish ambassador endeavored to regain for its owner

<sup>106</sup> *Acts of the Privy Council, Colonial*, November 11, 1665, pp. 405-406. Both merchants obtained at least a measure of restitution. *Ibid.*, May 9, 1666, pp. 413-414, and April 23, 1669, pp. 514-515. While commanding Modyford to pay one of them 13,239 pieces of eight, the Council expressly stated that the claimant had no legal right to compensation, and that the order was in consequence of the "great and earnest instance and Mediation which hath been used by the Conde de Molina his Catholique Majestys Ambassador in this Court on the said Crespo's behalfe. . . . And neverthesse Wee are to Declare unto you that it is not his Majestys intention that this shall be drawn into consequence for any other Person whatsoever to pretend to the like favour."

<sup>107</sup> *Acts of the Privy Council*, December 18, 1668, p. 497.

<sup>108</sup> *Cal. St. P., A. and W. I.*, November 10, 1666, p. 424.

a ship and cargo condemned in the Jamaica Admiralty Court, the Privy Council referred the matter to an English court of admiralty, which, apparently without arguing the politics of the case, reported that no cause was shown why the present owners should be dispossessed.<sup>109</sup>

In July, 1667, the Peace of Breda concluded the French and Dutch wars in which England had been engaged, restoring the *status quo ante* in the Indies. The hostilities of the privateers of Jamaica against the French and Dutch, which had been half-hearted all along, evaporated at once, but the situation as regarded Spain was more difficult. Two months before the Peace of Breda a commercial treaty was signed by Spain and England,<sup>110</sup> by which, in respect to both the East and West Indies, the same rights were guaranteed to England that Spain had allowed the Dutch by the Treaty of Munster in 1648, namely, the possession of such countries, colonies, and places as England held at the date of the treaty, with rights of navigation and trade thither, but trade to Spanish colonies was prohibited still. The treaty contained the customary provision concerning the issuing of letters of marque: that a subject of one of the contracting states, wronged by subjects of the other, must first seek redress through the medium of the law; if justice were refused him there, his king might bring the matter before the deputies or commissioners of the king of the offending state; but if justice were still denied, or delayed six months after the demand was preferred, then and only then was the granting of letters of marque permissible. In spite of the indefiniteness of the clauses that concerned the Indies, this was the most generous commercial treaty that Spain had conceded and Englishmen rightly regarded it as extremely advantageous. What observance it would find beyond the Line remained to be seen.

Governor Modyford had been notified of the proposed treaty with Spain in 1666, but Albemarle had informed him then that he might continue to employ the privateers as formerly if it were for the benefit of the king's affairs<sup>111</sup>—"which is really so", declared Modyford, "as the keeping of this island is for his honour and service". When a copy of the treaty finally reached him it gave him little light by which to guide his conduct, owing to the evasive reference to the Dutch treaty with which he was not acquainted, therefore he did not recall his privateers but asked for more explicit orders.<sup>112</sup>

<sup>109</sup> *Ibid.*, August 8, 1668, p. 602.

<sup>110</sup> Dumont, vol. VII., pt. I., p. 29.

<sup>111</sup> *Cal. St. P., A. and W. I.*, August 21, 1666, p. 407.

<sup>112</sup> *Ibid.*, December 28, 1667, p. 528.



He was enjoying at this time a lucrative monopoly in prizes. In lieu of the governorship of Providence, Sir James Modyford had been appointed by his brother deputy-governor of Jamaica in the room of Colonel Edward Morgan who had died at St. Eustatius, and also chief judge of the Court of Admiralty.<sup>113</sup> The governor issued commissions and bought in prizes which Sir James had condemned, and then the goods were shipped to England to the governor's son, Charles Modyford, who could dispose of them more advantageously than was possible in Jamaica.<sup>114</sup>

Although the explicit orders that Modyford requested were not sent, the Privy Council showed a disposition to force some degree of discipline on the unruly British subjects overseas by sending to Jamaica early in 1668 the *Oxford* frigate, "for the defense of the island, for the suppression of Privateers, and for the advance of trade and commerce", the governor to defray the cost of fitting and maintaining her.<sup>115</sup> As Modyford had urged the desirability of having a frigate at his command to keep the privateers under control, the sending of the *Oxford* seemed to point toward the conclusion of the irregular warfare that had so long terrorized the Spanish in the West Indies.

Before the frigate reached Jamaica there occurred the most serious infraction of the peace with Spain for which Modyford had yet been responsible, the most serious, indeed, since the days of Drake—the sack of Porto Bello by a buccaneer fleet under Henry Morgan.

Morgan was the son of a Welsh farmer. As a boy he had run away to Bristol and there indentured himself in return for transportation to Barbados. After the expiration of his term of servitude, he went to Jamaica and drifted into privateering. His good fortune was such that in a short time he became captain and part owner of his vessel, and acquired a reputation among his fellows for daring and success. When Mansvelt was assembling the fleet intended for Curaçao, Morgan had just returned from a plundering expedition along the Mexican coast, and at Mansvelt's invitation joined the fleet as vice-admiral, taking part later in the seizure of Providence.<sup>116</sup>

<sup>113</sup> *Cal. St. P., A. and W. I.*, February 20, 1668, p. 550, also, 1668 (?), p. 546.

<sup>114</sup> Charles Modyford's interest in prizes is shown by a petition of Chas. Modyford and other proprietors of the ship *Crescent*, to the King. *Ibid.*, 1668 (?), p. 545.

<sup>115</sup> *Ibid.*, March 12, 1668, p. 553. In the *Catalogue of Pepysian Manuscripts* (Navy Rec. Soc.), I. 260, the *Oxford* is described as a fifth-rate frigate of 240 tons, carrying 95 men and 22 guns.

<sup>116</sup> Esquemeling, vol. I, pt. I., p. 32. This account given by Esquemeling seems to be the only evidence extant concerning Morgan's early life. From his letters and reports in the *State Papers* it is apparent that he had received some education.

In 1668 Morgan received a commission from Governor Modyford "to draw together the English privateers and take prisoners of the Spanish nation", the pretext being the ever-current rumors of an intended invasion of Jamaica by the Spaniards. According to Morgan's own report of his adventure,<sup>117</sup> drawn up afterwards at Modyford's request, he and his fleet of ten sail and five hundred men were driven by storms upon the south keys of Cuba, and, being near starvation, landed to buy provisions. Meeting some French in like case, the English privateers joined them in a march across the island after the frightened inhabitants, who seem to have expected the descent. Reaching the north coast, the buccaneers attacked Puerto Principe, and, after an unusually spirited defense by the Spanish, took the town. Morgan's account emphasizes the preparations he found in progress there for the conquest of Jamaica, and merely mentions that on the Spaniards' entreaty they forbore to fire the town or bring away prisoners, but on delivery of one thousand beeves released all. Esquemeling, however, describes the way in which the captives were tormented to force them to reveal the whereabouts of the wealth of the town, and places the value of the booty at fifty thousand pieces of eight, which, he adds, was too small a sum to pay the buccaneers' debts at Jamaica, and therefore they were forced to attempt Porto Bello.<sup>118</sup>

Porto Bello was, next to Panama and Carthagena, the most important town in Spanish America, being the great market where European goods brought over by the fleet were exchanged for the products of the colonies. For the fortnight of the fair it was a great city, but during the rest of the year it was almost deserted, the climate making it not a desirable place of residence. In size it was nothing more than a village;<sup>119</sup> however, the warehouses where the colonial officials and merchants stored their goods made the town rich prize at any time, and its seizure would be an insult that Spain could not overlook as she had the impertinences of the privateers at sea.

The French buccaneers refused to be party to the new enterprise, so the fleet that sailed for the isthmus was entirely English. Landing under cover of darkness they surprised the town at three o'clock

<sup>117</sup> *Cal. St. P., A. and W. I.*, September 7, 1668, p. 610. Information of Admiral Henry Morgan, and his officers, of their late expedition on the Spanish coast, with reasons of their late attempt on Porto Principe and Porto Bello.

<sup>118</sup> Esquemeling, vol. I., pt. II., pp. 44-46.

<sup>119</sup> Esquemeling says that the town contained four hundred families, and that the three forts were garrisoned with three hundred men (vol. I., pt. II., p. 48); Morgan estimates the number of fighting men in the town at nine hundred (*Cal. St. P., A. and W. I.*, September 7, 1668, p. 611).

in the morning of June 26, 1668, and, as Morgan explains, "seeing that they could not refresh themselves in quiet", they stormed and took two of the castles that guarded the entrance to the port, and the third surrendered. This left the town at the mercy of the buccaneers, and they remained in it, plundering and carousing, until early in August. The president of Panama sent a force against them, but the buccaneers were not too demoralized to beat back the Spaniards, and wrung from the wretched citizens the full ransom of one hundred thousand pieces of eight, which they demanded for the town and prisoners before setting sail.<sup>120</sup> Then, according to Esquemeling, occurred an incident that calls to mind some of the adventures of Francis Drake:

The President of Panama, by these transactions, was brought into an extream admiration, considering that four hundred men had been able to take such a great City, with so many strong Castles. . . . This astonishment was so great, that it occasion'd him, for to be satisfied herein, to send a Messenger unto Captain Morgan, desiring him to send him some small pattern of those Arms wherewith he had taken with such violence so great a City. Captain Morgan received this Messenger very kindly, and treated him with great civility. Which being done, he gave him a Pistol and a few small Bullets of lead, to carry back unto the President his Master, telling him withal, He desired him to accept that slender pattern of the Arms wherewith he had taken Puerto Velo, and keep them for a twelvemonth; after which time, he promised to come to Panama and fetch them away. The Governour of Panama returned the Present very soon unto Captain Morgan, giving him thanks for the favour of lending him such Weapons as he needed not, and withal sent him a Ring of Gold, with this Message, That he desired him not to give himself the labour of coming to Panama, as he had done to Puerto Velo; for he did certifie unto him, he should not speed so well as he had done there.<sup>121</sup>

In coin alone the spoil is said to have amounted to two hundred thousand pieces of eight, which was divided among the freebooters and squandered promptly on the fleet's return to Jamaica about the middle of August, 1668.<sup>122</sup>

Modyford was considerably alarmed at this too conspicuously successful escapade of his protégés, and in an apologetic letter to Albemarle endeavored to clear himself of blame by painting as darkly as possible the intentions of the Spanish toward Jamaica, adding that he had "reproved" the privateers for attempting towns when their commissions licensed attacks on ships only.<sup>123</sup>

<sup>120</sup> Esquemeling, vol. I., pt. II., pp. 52-53, and Morgan's narrative in the *State Papers*.

<sup>121</sup> Esquemeling, vol. I., pt. II., pp. 53-54.

<sup>122</sup> *Ibid.*, p. 54, and Morgan's narrative.

<sup>123</sup> *Cal. St. P., A. and W. I.*, October 1, 1668, pp. 615-616.

Instead of making an effort to check the insubordination of the privateers by means of the frigate sent over for the purpose, Modyford felt that his salvation lay in provoking Spain to the hostilities which he said, and probably believed, were threatening, and to meet which he now set on foot a new succession of warlike enterprises. Morgan assembled a privateer fleet of ten sail and eight hundred men at his rendezvous off the little Isle de Vache, south of Hispaniola, and planned a raid on the Main. Another buccaneer captain, Dempster, with three hundred men, sailed against Havana and the towns in the Bay of Campeachy, while the *Oxford*, by a curious perversion of her mission, was first destined to attack Carthagena, under Collier, one of the heroes of Porto Bello, but the plan was not carried through, the *Oxford* joining Morgan's fleet. Modyford also sent an offer of assistance to the Indians of the Main, who had mutinied against Spanish oppression.<sup>124</sup>

Dempster's undertaking came to nothing and we hear no more of it. At the Isle de Vache misfortune befell Morgan's fleet on the eve of its departure in January, 1669. While the captains were holding a council on board the *Oxford*, the vessel was blown up, causing great loss of life.<sup>125</sup> The loss of the "admiral" of the fleet dashed the enthusiasm of the superstitious privateers, and it was with but five hundred men, French and English, that Morgan started for the Main in March, 1669. Entering the shut-in bay called the Sea of Maracaibo, the buccaneers approached the town of Maracaibo. They found it deserted, for the inhabitants, having got wind of the fleet's intention, had fled to Gibraltar with as much of their property as they could carry. Thither the buccaneers followed them, only to find that town deserted also. They spent five weeks plundering, beating the woods for the refugees, and haggling with their prisoners for the ransom of the towns. When finally they set sail, they were forced to dispute the passage from the Sea of Maracaibo to the Caribbean with three Spanish men-of-war sent over from Spain to put an end to the piracies of the English. Two of these were sunk by means of fire-ships, and the third was captured and became Morgan's flag-ship in place of the unlucky *Oxford*. The booty amounted to about the value of that taken at Porto Bello, but the number of participants being greater, the share per man was less.<sup>126</sup>

<sup>124</sup> Modyford reported all these plans to Arlington's secretary, Joseph Williamson. *Ibid.*, October 31, 1668, p. 621.

<sup>125</sup> *Ibid.*, in Supplementary Addenda to the volume for 1675-1676, pp. 518-519.

<sup>126</sup> The above is Esquemeling's account of the Maracaibo expedition (vol. I., pt. II., pp. 55 ff.). The destruction of the Spanish vessels which belonged to the Windward Fleet is described by Veitia Linage, p. 205.



Even without this last action Modyford was having difficulty in reconciling the government at home to his enterprises, and that government was having increasing difficulty in evading the reproaches of the Spanish ambassador. In August, 1668, the ambassador had protested against the insolence of the English privateers, but was put off without satisfaction by Arlington.<sup>127</sup> The news of the taking of Porto Bello had evoked more insistent demands for redress and for stricter faith in the keeping of the peace.

The situation was a rather delicate one for the ministers of Charles II. Lord Arlington examined the treaty of 1667 for a loophole of escape, but had to admit that "as to the Peace with Spain in the Indies, the article of the Treaty that stipulates it seems to be as large and comprehensive as those of any other Treaties by virtue of which his Majesty has now peace with any of his neighbours".<sup>128</sup> The answer finally returned to the complaints of Spain refused to discuss specific offenses or promise restitution, but covered the whole issue with the statement that the king's subjects did not enjoy peace in the Indies.<sup>129</sup>

Yet although the government was unwilling to disavow Modyford's action officially, he seems not to have got off scot-free from censure. Albemarle was ill at the time and unable to defend his kinsman, so Modyford, irritated and frightened, made shift to defend himself. He sent home a long narrative of his relations with the privateers, enumerating all his reasons for encouraging them and the grievances that the Jamaicans cherished against Spain. He stated that he had given the privateers commissions for taking ships only, not for landing, and that he always "reproved" them for so acting, especially in the business of Porto Bello and Maracaibo, but because of their numbers and his lack of definite orders, he thought it wise not to punish them. He denied that he had received any considerable sum from the privateers, declaring that the admiral's tenths were always sent home, while the king's fifteenths were expended on the fortifications of Port Royal.<sup>130</sup>

The most remarkable feature of Modyford's defense was a letter which he wrote to the Spanish ambassador, on the theory, evidently, that the matter might be settled out of court, as it were. His contention was that in view of the distaste for war shown by Spaniards in the Indies, the ambassador should thank him, Modyford, for calling his attention to the usefulness of the privateers; if the

<sup>127</sup> *Cal. St. P., A. and W. I.*, January 7/17, 1669, pp. 1-2.

<sup>128</sup> *Ibid.*, 1668, p. 641.

<sup>129</sup> *Ibid.*, January 26/February 5, 1670, p. 54.

<sup>130</sup> *Ibid.*, August 23, 1669, pp. 38-40.

English did not employ them, the French would, and that would be still worse for Spain.<sup>131</sup>

Although in this letter Modyford professed great confidence in the goodness and wisdom of his sovereign, he was sufficiently alarmed to show a hitherto unexercised vigor in reducing the privateers to obedience. At the end of 1669 he was able to report that most of the privateers had turned merchants trading with the Indians for tallow, turtle-shell, and logwood; others hunted on Cuba for hog and beef.<sup>132</sup> Both of these industries were carried on regardless of Spanish prohibitions, but they were lesser offenses than privateering. Some became planters in Jamaica, and the rest persisted in seeking Spanish prizes and smuggled them in—not a difficult thing to do, probably, with all the tradesmen of Jamaica willing to connive at the irregularity. Just at this time the French governor of Tortuga was forbidden to grant letters of marque, “which in this juncture fell out very happy for us”, Modyford admitted.<sup>133</sup> For the moment it looked as if the buccaneers had run their tether, but unfortunately Spain had chosen the very time of their subsiding to attempt retaliation.

The Queen Regent of Spain, unable to obtain satisfaction from Charles II. in the matter of the privateers, in April, 1669, probably after the news of the sack of Maracaibo and Gibraltar had reached her, ordered her governors in the Indies to proclaim war on the English in those parts, and to dispossess them of their “ships, islands, places, and ports”, to which end the governors were allowed to issue letters of reprisal.<sup>134</sup> This new local war did not actually begin until March, 1670, when two Spanish privateers fell upon some ships from Jamaica attempting to trade with the Spanish colonies.<sup>135</sup> Modyford was all warlike ardor immediately, but his patron, Albemarle, had died early in 1670, and he had need to be careful where he stepped. He reported the aggressions of the Spaniards to Arlington and begged permission to retaliate.<sup>136</sup>

The Secretary of State was particularly anxious to avoid antagonizing Spain further, since Sir William Godolphin was at this time in Madrid endeavoring to secure a treaty which should make a peace beyond the Line possible, and should acknowledge explicitly England's possessions and rights in the Indies. Arlington explained this to Modyford and instructed him to keep the privateers

<sup>131</sup> *Ibid.*, June 15, 1669, pp. 27–28.

<sup>132</sup> *Ibid.*, November 30, 1669, p. 46.

<sup>133</sup> *Ibid.*

<sup>134</sup> *Ibid.*, January 26/February 5, 1670, p. 54.

<sup>135</sup> *Ibid.*, March 18, 1670, pp. 58–59.

<sup>136</sup> *Ibid.*, May 5, 1670, p. 65.

in whatever state his letter should find them, obliging them, in any case, to abstain from hostilities on land.<sup>137</sup>

His letter found them in a very belligerent state indeed, for two occurrences had led Modyford to abandon discretion and commit himself to war without waiting for instructions. The first was an attack on the north coast of Jamaica by a Spanish captain named Rivera, who had gone a-buccaneering with zest, and now left behind him, nailed to a tree, a bombastic challenge to Henry Morgan to come and fight him.<sup>138</sup> The second was the act of the Dutch governor of Curaçao, who, having in some way obtained an original commission of reprisal granted by the governor of St. Jago de Cuba in accordance with the orders of the Queen of Spain, sent it to Modyford,<sup>139</sup> thinking, no doubt, that to keep alive the old enmity between Englishman and Spaniard was the best way of securing to the Dutch uninterrupted enjoyment of the Spanish trade in the Indies.

The people of Jamaica were panic-stricken, believing that mighty preparations were in train for their destruction. A night-watch was established at Port Royal, the militia was regulated, and the inhabitants were ordered to keep in their houses a specified quantity of arms and ammunition. At the order of the council, Modyford appointed Henry Morgan commander-in-chief of all the ships fitted or to be fitted for the defense of Jamaica, instructing him to capture or destroy all Spanish vessels that he might meet, and, in case he found it feasible, to land and attack St. Jago or any other place where troops or stores were being collected to send against Jamaica.<sup>140</sup>

Morgan, now enjoying the dignity of admiral, at once set about assembling a fleet of privateers that should accomplish the designs suggested in his instructions. Arlington's order to maintain the privateers *in statu quo* arrived before any hostile move had been made from Jamaica, and Modyford communicated them to the admiral, "strictly charging him to observe the same, and behave with all moderation possible in carrying on this war".<sup>141</sup> Morgan replied that he would obey as far as possible, but that necessity would compel him to land in the Spaniards' country for wood, water or food; however, unless he were assured that the enemy were mustering troops or collecting stores for the rumored descent on Jamaica, he would not attack their towns. Then he departed for his old rendezvous at the Isle de Vache.<sup>142</sup>

<sup>137</sup> *Cal. St. P., A. and W. I.*, June 12, 1670, pp. 68-69.

<sup>138</sup> *Ibid.*, June 28, 1670, p. 72, and October 31, 1670, p. 122.

<sup>139</sup> *Ibid.*, June 29, 1670, p. 72.

<sup>140</sup> *Ibid.*, July 2, 1670, pp. 73-74.

<sup>141</sup> *Ibid.*, August 20, 1670, p. 82.

<sup>142</sup> *Ibid.*

The hostilities—or the war, as both parties estimated it—were entirely insignificant on the Spanish side, being confined to the efforts of a few privateers, although a Spanish captive told Morgan in October of that year that he had seen the people of Carthagená “listed and all in arms offensive against the English”.<sup>143</sup> But Morgan was naturally desirous of magnifying the *casus belli* in order that he might have an excuse for any aggressions that he might see fit to commit, and doubtless found means of forcing this sort of deposition from his prisoners.<sup>144</sup>

On the part of Jamaica, however, a great deal of activity was shown. The captain who had so valorously challenged Morgan to do battle was killed in an engagement with a Jamaica privateer, and his ship made prize.<sup>145</sup> Three privateers went up the Nicaragua River and took and pillaged the town of Granada.<sup>146</sup> In September Morgan dispatched his vice-admiral, Collier, with six sail to the Main to reconnoitre. As the best way of obtaining information of the enemy’s movements, he took the town of Río de la Hacha, remained in possession of it a month, and returned to Morgan with provisions for the fleet and with prisoners who deposed that in Carthagená, Porto Bello, and Panama soldiers were being enlisted for the conquest of Jamaica.<sup>147</sup>

Morgan did not leave the Isle de Vache until December, 1670, when he had assembled a fleet of about fifteen hundred men. The captains, in council of war, unanimously decided “that it stands most for the good of Jamaica and safety of us all to take Panama, the President thereof having granted several commissions against the English”.<sup>148</sup> The first objective point was the island of Providence which Mansvelt and his buccaneers had captured in 1665. It was garrisoned at this time by three hundred Spaniards, who sur-

<sup>143</sup> *Ibid.*, April 20, 1671, p. 202.

<sup>144</sup> “Spanish gold and silver is the only cause of the quarrel; and they can easily make a ground for the contest, for the first design is the getting of prisoners, whom they force, some by torments, to say that either at Carthagená, Porto Bello, or other maritime place, they are mustering a fleet to invade Jamaica; and those who will not subscribe what they know not are cut in pieces, shot, or hanged.” *Ibid.*, August 21, 1671, p. 253, Richard Browne, surgeon on the Panama expedition, to Williamson.

<sup>145</sup> *Ibid.*, October 31, 1670, p. 120.

<sup>146</sup> *Ibid.*

<sup>147</sup> *Ibid.*, April 20, 1671, p. 202.

<sup>148</sup> *Ibid.*, Morgan’s account. There are three other accounts of the Panama expedition by participants; two of these are in *Cal. St. P., A. and W. I.*, April 4, 1671, p. 190, Copy of the Relation of Wm. Fogg, and August 21, 1671, p. 252, by the surgeon, Richard Browne. The third is in Esquemeling, vol. I., pt. III., pp. 18 ff. All four agree substantially as to the main facts, though Browne is very acrimonious toward Morgan.



rendered the day after the siege began. From here Morgan sent forward a detachment of four or five hundred men under one of his captains to take Chagre Castle, which guarded the way across the isthmus to Panama. They were successful in this, though with the loss of one hundred and fifty men. A week later the admiral joined them, and leaving two hundred men to guard the larger boats, started with twelve hundred buccaneers up the Chagre River. Five leagues they covered by water, and then marched another five to Panama.

Outside the city the attacking party was met by a Spanish force of about twenty-five hundred men, who fired one volley and fled before the charge of the buccaneers. The city, however, had been set on fire by the Spanish, and only the churches and a hundred or so houses in the suburbs remained standing when the English took possession. The spoils were a disappointment, amounting to but thirty thousand pounds. According to Morgan's account, the great wealth of the town had been removed several weeks before, when the inhabitants had warning of the expedition. This explanation, however, was not acceptable to some of his men, who suspected the admiral of having withheld for himself the most valuable portion of the spoils.<sup>149</sup>

The return of the fleet was disastrous; provisions gave out and many vessels were cast away in the heavy storms that met them. One report states that four-fifths of the men that left Jamaica on the expedition were lost.<sup>150</sup> Nevertheless, the Council of Jamaica passed a vote of thanks to Morgan and approved his action throughout.<sup>151</sup>

This was the last ambitious exploit of the buccaneers of Jamaica, for a little later Modyford's régime came to an end. Sir William Godolphin had succeeded in negotiating with Spain the Treaty of Madrid, signed July 18, 1670, the month after Modyford began his war. The treaty promised peace and amity between the subjects of the two kings in America and the West Indies, called for the revocation of all letters of marque and reprisal, and the cessation of hostilities. Spain acknowledged England's possession of those parts of the New World of which she was in occupation

<sup>149</sup> "They loaded the mules . . . with plate and other good plunder to the value of above 70,000 *l.*, besides other rich goods, and cheated the soldiers of a very vast sum, each man having but 10 *l.* a share, and the whole number not being above 1,800. At Chaugrave they gave what they pleased, for which . . . we must be content or else clapped in irons." *Cal. St. P., A. and W. I.*, August 21, 1671, p. 252, Richard Browne to Williamson.

<sup>150</sup> *Ibid.*, July 7, 1671, p. 241.

<sup>151</sup> *Ibid.*, May 31, 1671, p. 220.

at the time of the treaty, though no places or boundaries were named. Finally each party agreed to abstain from any attempt to trade in the territories of the other in America.<sup>152</sup>

It is probable that Spain made the recall and punishment of Modyford a condition to her acceptance of the treaty. Rumors that a change of governors might be expected had reached Jamaica by the middle of 1670,<sup>153</sup> and Modyford's letters show that he himself was aware of them in October of that year.<sup>154</sup> Even before the taking of Panama the commission of Sir Thomas Lynch to be governor of Jamaica had been drafted,<sup>155</sup> and he arrived in Port Royal at the end of 1671. In accordance with his instructions he sent Modyford a prisoner to England to answer for exceeding his powers and disregarding orders in the matter of the privateers.<sup>156</sup> He was committed to the Tower where, apparently through Arlington's influence and in spite of the efforts of the second Duke of Albemarle to obtain his release, he remained until 1674,<sup>157</sup> returning to Jamaica the following year. He may be regarded as the scapegoat of Lord Arlington, who, as Secretary of State, had tacitly allowed him to experiment with the privateers until their uselessness for any real gain was evident, and then had handed him over to the punishment demanded by Spain.

Henry Morgan was also dispatched to England to defend his raids on the Spanish towns,<sup>158</sup> but his commission from Modyford proved sufficient justification for everything that he had done. He was handsomely lionized in London as the hero on whom Drake's mantle had fallen and amused his entertainers with stories of Spanish treasure and English adventure.<sup>159</sup> At court he caught momentarily the fancy of the king who made a knight of him.<sup>160</sup> In 1675 he returned to Jamaica as lieutenant-governor of the island and commander-in-chief of its forces,<sup>161</sup> and until the end of his life figured turbulently in local politics.

In Jamaica Lynch in his turn dealt with the problem of suppressing the privateers. For the moment he seemed on the verge of success. The terrible loss of life at Panama, the unprofitable-

<sup>152</sup> Dumont, vol. VII., pt. 1., pp. 137-139.

<sup>153</sup> *Cal. St. P., A. and W. I.*, August 7, 1670, p. 78.

<sup>154</sup> *Ibid.*, October 31, 1670, p. 121.

<sup>155</sup> *Ibid.*, September 23, 1670, p. 105.

<sup>156</sup> *Ibid.*, January (?), 1671, pp. 159-160.

<sup>157</sup> *Letters to Sir Joseph Williamson* (Camden Soc. Pub.), I. 122; also, *Hatton Correspondence*, II., June 24, 1673.

<sup>158</sup> *Cal. St. P., A. and W. I.*, December 17, 1671, p. 299.

<sup>159</sup> *Diary and Correspondence of John Evelyn* (London, 1857), II. 93.

<sup>160</sup> *Cal. St. P., A. and W. I.*, November 20, 1674, p. 623.

<sup>161</sup> *Ibid.*, November 6, 1674, p. 617.

ness of the expedition, the recall and imprisonment of Modyford and Morgan, who had conducted the miserable little war—all discredited privateering, and a humbled Jamaica welcomed the new peace. The island had been sadly distracted from the orderly and prosperous life of the other English plantations. Sober, industrious people were afraid to settle in a place where property was insecure from the constant danger of invasion. Laborers, artisans, merchants, and planters were tempted away to cruise for a livelihood instead of working for it, hence planting languished and provisions were dear. Some few enriched themselves through speculation in privateers' booty and then departed to spend their wealth elsewhere. The one considerable town, Port Royal, was a place of dram-shops, ill-kept lodgings, and shoddy stores where drunkenness and immorality were encouraged that seamen might the more easily be parted from their money.

Lynch applied himself to his task with great energy and honesty of intention. He dispatched the two frigates placed at his service here and there among the islands to the haunts of the privateers to wheedle and threaten them into port. He notified the Spanish governors in the Indies of the recent treaty, and returned to them as many as he could collect of the negro slaves taken by Morgan's buccaneers, receiving in reply "many compliments of Panama".<sup>162</sup> He wrote, too, to the French governor at Tortuga, requesting him to refuse reception there to all English privateers.<sup>163</sup> At the time, however, there was no governor of recognized authority in Tortuga, the buccaneers being in rebellion against the French West India Company which had shown a disposition to prevent their trading except with the company's ships.<sup>164</sup> Such professional pirates as were frightened away from Jamaica were welcome reinforcements to the mutineers. More than Lynch at first realized took refuge there and assisted in forcing the company to compromise. When Louis XIV. took up once more in 1672 his designs upon the Netherlands, they found easy cover under French letters of marque for the old piracy. The scum of the Indies drifted away from Jamaica to Hispaniola and Tortuga where aliens of any nation or reputation were received with obliging catholicity. The pirate ship *La Trompeuse*, which enjoyed a brief but exciting career in the rôle of French man-of-war in 1684, had a crew which included—besides Frenchmen—Scotch, Dutch, English, Spanish, Portuguese, Swedes, Irish, New Englanders, negroes, and Indians.<sup>165</sup> Lynch complained

<sup>162</sup> *Cal. St. P., A. and W. I.*, August 20, 1671, p. 247.

<sup>163</sup> *Ibid.*

<sup>164</sup> *Ibid.*

<sup>165</sup> *Ibid.*, September 12, 1684, p. 86.

that "the French Governor . . . never refuses commissions, whether before or after capture of a prize, provided he receives some present, as, for instance, a tenth share."<sup>166</sup> Protests from the English ambassador at Paris against this encouragement of piracy evoked only polite denial of the whole condition of affairs.<sup>167</sup> The Indies were as far away from peace as ever.

Such privateers as came in to Port Royal on hearing of the recall and surrendered to Lynch, being pardoned, sailed off to Yucatan in quest of logwood, an illicit trade which was to be the spring of fresh violence and robbery in those seas with Spain as aggressor and English merchantmen as prey, and no reprisal allowed. The Royal African Company had now abandoned the old policy of force and was trying to insinuate itself peaceably into the Spanish slave-trade; it was, therefore, unwilling that Spanish confidence should be shaken again by the enterprise of English privateers, whatever the sufferings of English traders.<sup>168</sup> Between French and Spanish pirates, the commerce of the British West Indies paid dearly for the escapades of Henry Morgan and others of his kind. England, to her surprise, was not the sole arbiter of peace beyond the Line. "There are many pirates about our seas", reports a Jamaican in 1699, "and the French make us no restitution nor the Spaniards spare anything they can master, so that we are in an ill case with our hands bound and must stand still to be buffeted."<sup>169</sup>

But although the licensing of privateers by English governors in time of peace ended with Modyford's administration, enough English pirates escaped the vigilance of Lynch's frigates to sustain old traditions not unsuccessfully. "This cursed trade has been so long followed, and there is so many of it, that like weeds or Hidras they spring up as fast as we can cut them down", wrote Lynch in discouragement.<sup>170</sup> The pirates were more wary than in Modyford's time, contenting themselves with what they could make prize of at sea and working independently of each other instead of in fleets.

<sup>166</sup> *Ibid.*, September 29, 1682, pp. 301-302.

<sup>167</sup> *Ibid.*, February 14, 1683, p. 383, and same date, p. 385.

<sup>168</sup> Sir William Godolphin, ambassador to Spain, after trying vainly to obtain redress for a long list of English merchants whose ships had been seized by the Spanish in the Indies, on the pretense of their having logwood aboard, wrote: "They [the Spanish] fancy Parliament will not suffer the King to do them any harm, and that without the Spanish trade England would be all in disorder, and this makes them bold." *Ibid.*, August 7/17, 1675, p. 268. In 1684 one finds the governor of Jamaica pleading with the governor of Trinidad, thus: "If we suffer your ships to trade we protect them afterwards, and if not we give them fair notice to be gone. You permit the sloops to trade for a little to be the more sure of seizing them." *Ibid.*, September 17/27, 1684, p. 689.

<sup>169</sup> *Ibid.*, February 8, 1699, p. 55.

<sup>170</sup> *Ibid.*, January 13, 1672, p. 316.



The governor of the Danish Island of St. Thomas did not scruple to encourage such as brought their prizes to him.<sup>171</sup> But the Caribbean no longer sufficed them. Buccaneers such as Dampier, Sharpe, Cook, and Wafer, who have left accounts of their exploits, transferred their attention to the commerce of the South Sea, and did not fare badly. Others found a headquarters at New Providence in the Bahamas, and by combining smuggling with piracy were soon in alliance with the colonies along the Atlantic seaboard.<sup>172</sup> In 1724 England was still trying to quell these pirates by administering semi-occasional chastisement with a man-of-war.<sup>173</sup>

So widespread was the evil, so irresponsible the international conscience—if such a thing may be supposed to exist—that the best efforts of such honest officials as Lynch counted for nothing. Piracy ruled in the West Indies until, in the latter part of the eighteenth century, the imperative demand for security in trade brought about gradually a systematic and adequate policing of the seas.

VIOLET BARBOUR.

<sup>171</sup> *Cal. St. P., A. and W. I.*, June 24, 1684, p. 657.

<sup>172</sup> "All the news of America is, the swarming of pirates not only on these coasts, but all the West Indies over, which doth ruin trade ten times worse than a war." *Ibid.*, June 5, 1700, p. 301. Colonel Quarry (from Virginia) to the Council of Trade and Plantations.

<sup>173</sup> Hist. MSS. Com., *MSS. of Lady Du Cane* p. 20.

## DOCUMENTS

### *American Commercial Conditions, and Negotiations with Austria, 1783-1786<sup>1</sup>*

HERR HANNS SCHLITTER, vice-director of the Staatsarchiv at Vienna, published some time ago two works<sup>1a</sup> concerning the relations between the Empire and the United States which contain interesting information particularly upon the negotiations between the government of the Emperor Joseph II. and that of the American republic on the subject of concluding a treaty of commerce. Conferences<sup>2</sup> took place between the Comte de Mercy-Argenteau, ambassador of Joseph II. at the court of Louis XVI., and the American ministers, Franklin and Jefferson, and a treaty of commerce was in its principal points decided upon. Serious events, however, put a stop to the negotiations; these were, on the part of Austria, the revolt of the Austrian Netherlands, and, on the part of America, the change of the Constitution in 1787. Neither the exact terms of the Emperor's decision nor the precise propositions of the American government concerning the treaty to be concluded are even now known;<sup>3</sup> yet it has been my good fortune to discover in the Staatsarchiv at Vienna the proposal of Kaunitz, the chancellor of the Empire, accompanied by the Emperor's decision in his own writing. Moreover I have found in the Archives Générales in Brussels the project of a treaty submitted by the American government to the government of Joseph II.<sup>4</sup> Of the two the proposal of Kaunitz appears to me the more interesting because it reveals the shiftings of the negotiations and also because it presents a general view of the policy of the United States in regard to treaties of commerce. This document is printed in the series following as number XI.

<sup>1</sup> These documents, with their introduction and notes, have been kindly furnished by Professor Hubert Van Houtte of the University of Ghent; Professor Edmund C. Burnett of the Carnegie Institution of Washington has added a general statement concerning the contemporary negotiations of the United States with respect to commercial treaties.

<sup>1a</sup> *Die Beziehungen Oesterreichs zu den Vereinigten Staaten von Amerika* (Innsbruck, 1885) and *Die Berichte des Ersten Agenten Oesterreichs in den Vereinigten Staaten von Amerika, Baron de Beelen-Bertholff, an die Regierung der Oesterreichischen Niederlande in Brüssel, 1784-1789* (in *Fontes Rerum Austriacarum*, Abth. II., Bd. XLV., Vienna, 1891).

<sup>2</sup> Cf. Schlitter, *Die Beziehung Oesterreichs zu den Vereinigten Staaten von Amerika*, pp. 73, 76, 112-118.

<sup>3</sup> Cf. *ibid.*, p. 116, n. 3.

<sup>4</sup> See *post*, pp. 576-579, 587.

I have included some other documents, not hitherto published, which I have found in the Archives Générales in Brussels. They relate to American manners in the years 1783-1786, as observed by an intelligent and well-informed European. Herr Schlitter's work, *Die Berichte des Ersten Agenten Oesterreichs in den Vereinigten Staaten von Amerika*, itself contains a mass of information of this sort; nevertheless the observations which we publish are not among the least interesting. In several instances the reader is referred to Herr Schlitter's volume for comparison. These elucidations of American manners, as well as the documents which concern European emigration to the United States, are drawn from relations of Baron de Beelen-Bertholff which had escaped the investigation of Herr Schlitter because they repose in Brussels, whereas the principal mass of these relations is to be found in Vienna. The sources of the several documents are indicated in the foot-notes.

HUBERT VAN HOUTTE.

#### I. THE EMIGRATION OF EUROPEANS TO AMERICA, 1783.<sup>5</sup>

Le point de l'émigration à présent devient plus dangereux pour l'Europe. L'Amérique tâchera de toutes les manières possibles d'avoir du monde de tous les pays de l'Europe. C'est aux pays de l'Europe d'avoir l'œil bien ouvert, pour empêcher cela, surtout parceque l'on tâchera de [se] procurer toute sorte de gens de métier.

Il suffit à l'Europe que les plus mauvais sujets que chaque pays bannit, pour des mauvaises actions, y aillent. Et cela est suffisant pour faire beaucoup de dommage à l'Europe avec le temps, comme il en est arrivé à la Grande-Bretagne en condamnant ses criminels à être transportés en Amérique. Plus ou moins chaque criminel est habile à quelque chose. Et en examinant les faits de la révolte, on voit plusieurs descendants des personnes condamnées à y aller et d'autres encore vivantes sous la même condamnation, faire une belle et suffisante figure dans les faits même de la révolte.

L'émigration que l'indépendance de l'Amérique pourra causer est peut-être le premier point que l'Europe doit tâcher d'empêcher. Les Américains, pour bien d'années avant la révolte, avoient presque partout des personnes qui encourageoient les pauvres gens à y aller. A présent ils tâcheront de multiplier la population avec beaucoup d'industrie; et surtout d'attirer chez eux les gens de métier et les manufacturiers, afin de se soustraire à la nécessité d'acheter le tout aux Européens.

Les ordonnances et la force ne sont pas suffisantes pour empêcher entièrement l'émigration.<sup>6</sup> On trouve toujours des moyens pour les évader. Il semble que l'encouragement dans la patrie à tous les plus inférieurs ouvriers mêmes, aura plus d'effet contre les tentations de l'Amérique.

<sup>5</sup> Extract from a report of Songa, the Imperial consul at London, to the Brussels government, February 8, 1783. The report is in the Archives Générales, Brussels, Conseil Privé, carton no. 1152.

<sup>6</sup> There is a large number of edicts against emigration in the "Recueil des Ordonnances des Pays-Bas Autrichiens" (to 1786) and in the "Recueil des

II. LAFAYETTE'S VISIT TO AMERICA, 1784.<sup>7</sup>

M. le Marquis de La Fayette arriva de Lorient à New-York le 5 de ce mois après une traversée de 35 jours et en cette ville le 9, accompagné de M. le chevalier de Caraman. Une troupe de la milice ou Dragons de la Pensilvanie fut envoyée à quelques miles d'ici pour l'escorter. Les principaux de cet état furent le complimenter et le recevoir hors de la ville. Les cloches annoncèrent son arrivée au public. Il ne pénétre pas jusqu'ici de quelle durée sera son séjour.

III. BANKRUPTCIES IN PHILADELPHIA AND NEW YORK, 1784.<sup>8</sup>

Trois maisons de commerce à Philadelphie, l'une sous la raison de Sluyter, hollandois, l'autre sous la raison de Basse et Soyer, hambourgeois, et la troisième sous la raison de Hamelin, françois, viennent de faire banqueroute.

On évalue celle de Sluyter au delà de 50 mille et celle de Basse et Soyer à 60 mille Pounds.

Celle d'Hamelin n'est pas évaluée dans le public; on la dit beaucoup moins forte que les autres.

Sluyter, Soyer et Hamelin ont d'abord été colloqués dans la prison. Basse a pris la fuite et s'est embarqué au cap May.

L'opinion générale est que les banqueroutes de Sluyter, Basse et Soyer sont frauduleuses et que le fond du commerce de ces deux derniers appartient à des hollandois.

à New-York: Parker, Hopkins et M<sup>l</sup>ane No. 22, Wallstreet.

On dit cette banqueroute très considérable.

IV. FASHIONS OF AMERICAN WOMEN, 1784.

A<sup>9</sup>

Les soieries de couleur grise de différentes nuances et qualités tant taffetas que moire, unies, doubles satinées, peu de fleuragées sont les plus recherchées par ceux de la secte des trembleurs ou Quakers; très peu d'entre eux portent des soieries d'une autre couleur.

D'autres sortes en bleu, blanc, moredoré etc. trouveront cependant aussi du débit, mais à beaucoup près pas en si grande quantité que les premières; le tout uni et le moins en couleurs vives.

. . . Il y a surtout une sorte de taffetas extrêmement léger que la

Ordonnances et Règlements", of the Bibliothèque des Archives Générales of Brussels, volumes XXVIII. and XXIX. [The *Pennsylvania Gazette* of May 26, 1784, contains the following extract of a letter from Copenhagen, March 2: "The migrations from out of Holstein have lately been so great, on account of the encouragement which the American states give to foreigners settling among them, that the King has found it necessary to publish an ordonnance, forbidding, under heavy penalties, any person leaving the Danish dominions without licence."]

<sup>7</sup> Extract from a report of the Baron de Beelen-Bertholff to Count Barbiano de Belgioioso, minister plenipotentiary of the Emperor at Brussels, dated at Philadelphia, August 12, 1784. Brussels, Archives Générales, "Chancellerie des Pays-Bas à Vienne", portfolio 303. For other details concerning the visit of Lafayette see Schlitter, *Die Berichte des Ersten Agenten Oesterreichs in den Vereinigten Staaten von Amerika*, Baron de Beelen-Bertholff, pp. 339, 361, 377, and 558.

<sup>8</sup> Note L appended to the report of August 12, 1784, in portfolio 303.

<sup>9</sup> Extract from note N of the same report.



France fournit dans l'Amérique septentrionale, qui se place bien avantagusement et dont l'emploi en toutes couleurs est assez général pour tabliers, même pour des robes ou robettes que l'on porte dans le fort de l'été. Comme aussi une autre sorte en noir et en gris, moins du gris que du noir, dont on fait des chapeaux et calèches pour les femmes; et il n'y en a presque aucune dans Philadelphie, pas même du peuple, qui doit être dépourvue de l'un ou de l'autre, au point que lorsqu'une personne du sexe étant habillée (je n'excepte pas les négresses) marche dans les rues sans chapeau ou calèche, on conclut que c'est une étrangère, on la remarque et l'étrangère se conforme enfin à l'usage, ce qui comme il est sensible, entraîne une forte consommation de soieries qui sont propres à cette mode.

B<sup>10</sup>

En tout cinquante une nuances différentes en gris, blanc, couleur de chair, pâle, ventre de biche etc. peu plombée et autres de ce genre. Par dessus ces couleurs qui sont décidément les plus recherchées, il y en a cependant encore quelques unes qui trouveroient à Philadelphie un certain débit; telles seroient celles qui ne sont pas riches, vives ou brillantes, mais pas au dessus du prix de 20 escalins de Brabant rendu à Ostende; on excepte l'écarlate du prix moïen, on pourroit en ajouter mais très peu dans un assortiment. Quant aux satines dont il y a quatre échantillons sur la carte, on n'est pas de sentiment que celle de couleur pompadour ni la bleue seroient de débit, les grises pourront se placer avantageusement aux prix de 12 et 15 escalins, rendues à Ostende, qui y sont indiqués, mais peu.

#### V. THE SALE OF EUROPEAN GIN IN AMERICA, 1784.<sup>11</sup>

Il ne reste pas de genièvre invendu ni d'Hollande, ni de celui que nos négocians des Pais-bas ont envoyé à Philadelphie. Pourvu qu'il tienne preuve.

Il en est arrivé à Philadelphie en pipes ou futailles; la qualité du bois a jauni le genièvre pendant la traversée, il est par là déchu de valeur, il doit être et rester blanc.

Un navire arrivé à Philadelphie d'Ostende au mois de Juillet, en contenait une partie assez forte en bouteilles dans des paniers d'osier de 50 flacons. On sçait qu'on en a fait bonne vente et sur le champ, quoiqu'il y ait eu une certaine quantité cassée, et que le bénéfice sur 200 paniers a surpassé de 2000 fl. la facture.

Le genièvre que les Hollandois envoient dans l'Amérique septentrionale est emballé dans des caisses qui contiennent 12 bouteilles carrées. Ces caisses sont à pentures et serrures, peintes en vert au dehors.

<sup>10</sup> *Ibid.* This is an extract of a memorandum drawn up by the Council of Finance at Brussels from a report of Baron de Beelen in 1784, probably from note A appended to the report of September 22, 1784, mentioned in the Comte de Proli's "Observations" printed in Schlitter, *Die Berichte*, pp. 242-284 (see p. 274 of that work). The memorandum relates to a card of samples of the fabrics of Limburg sent to America, upon which the agent of the Imperial government had noted the shades which the American people liked. In note B of his report of June 17, 1785, Beelen returned to his observations upon the subject of the shades most sought after. See *ibid.*, pp. 261, 417-418.

<sup>11</sup> Memorandum of Baron de Beelen addressed to the government of Brussels. It is without date, but a marginal record shows that it arrived in Brussels in the first quarter of 1785, or at least before April 16. Archives, *ibid.*, portfolio 303.

On ne voit pas arriver à Philadelphie un navire hollandois qui n'ait pas quelques cent de ces caisses à bord.

Un navire hollandois qui fit voile d'Amsterdam sur Philadelphie où il arriva en novembre dernier [1784] a eu à bord 1500 de ces caisses de genièvre. La vente de la totalité s'en est faite endéans la quinzaine après l'arrivée de ce navire, savoir 1200 caisses les deux premiers jours et les 300 restantes ensuite. Il y a eu sur cela un bénéfice de 26 pour cent.

#### VI. THE USE OF CARPETS IN AMERICA, 1784.<sup>12</sup>

Les tapis de pied qui se fabriquent à Tournay sont, d'après les informations qu'on a reçues, d'un bon débit dans toute l'Amérique septentrionale. Leur usage y est général. Il est peu ou point de bonnes maisons dont les escaliers mêmes n'en soient couverts. Ceux-ci sont de différentes largeurs; beaucoup n'ont qu'une aune de Brabant ou environ et sont d'une moindre qualité: on y trouve chez les principaux négocians des tapis de pied jusques dans les vestibules ou entrées de maisons.

Mais les tapis de table n'y sont point en usage. La beauté du bois de Mahoni, dont sont presque tous les meubles, en est la cause.

#### VII. TRADE BETWEEN THE ENGLISH AND THE SAVAGE TRIBES OF NORTH AMERICA.<sup>13</sup>

... Les sauvages ont différents besoins que les Anglois sont en possession de leur procurer à portée des lieux qu'ils habitent ou de ceux dont la multitude fréquente les marchés. De ce genre sont des couvertes tant de lit que de corps, de fil de laine, de coton et autres mélangées de ces matières, dans lesquelles ils s'enveloppent; des cornets à poudre et plomb à giboyer, arcs et fusils etc. sur lesquels il faut, pour avoir le débit ou les mettre en échange, que des attributs de guerre et autres soient gravés ou désignés, des bracelets de cuivre et d'autre métal, une sorte de chausse toute particulière, des bagues d'oreilles et de nez et plusieurs autres articles de détail, façon et circonstances desquels on ne peut pas obtenir dans Philadelphie les notions convenables. Je n'ai pu m'y procurer que l'Indian Pipe Tomahawk que j'ai joint aux modèles des articles qui m'ont paru avoir trait au commerce des États de Sa Majesté au delà du Rhin, parce que ce fatal instrument est acéré. Le débit en est remarquable.

C'est Monseigneur, par une suite de ces considérations et parce que la branche du commerce avec les différentes nations sauvages présente à plusieurs égards des avantages considérables nommément pour les pelletteries qu'on reçoit en échange, branche de commerce encore presque entièrement exclusive en faveur des Anglois, que je me rendrai au fort Pitt, dès que les chefs des sauvages auront déferé à l'invitation des

<sup>12</sup> Extract of memorandum drawn up in the Council of Finance in Brussels before April 21, 1785, from a report of Baron de Beelen, probably note K of the report of June 21, 1784, indicated by the Comte de Proli (see Schlitter, *Die Berichte*, p. 274). *Ibid.*

<sup>13</sup> Extract from the report of Baron de Beelen, June 21, 1784. *Ibid.* This report is indicated in Schlitter's work (*Die Berichte*, p. 274) but is not printed. Cf. *ibid.*, pp. 278, 552-559, where other details are given. Because of its interest I shall publish it ultimately in a work upon the mission of Baron de Beelen, which I am preparing in collaboration with my friend, J. Mees, of the Archives Générales of Brussels.

États-Unis de s'y trouver avec les commissaires du Congrès; c'est le seul moyen que je puisse employer efficacement pour procurer les modèles à ces égards et sans lesquels nous ne pouvons pas espérer de participer au commerce des autres nations européennes avec les sauvages. J'espère de reconstruire par cette conduite les vues des ordres supérieurs.

# VIII. THE GROWTH OF POPULATION IN THE UNITED STATES AND THE INCREASE IN THE CONSUMPTION OF EUROPEAN LINENS.<sup>14</sup>

Je ne m'arrêterai pas à discuter s'il y a quatre ou cinq ou plus de millions d'habitants dans l'étendue des États-Unis établie et circonscrite par le traité de paix; ce qu'il y a de certain, c'est que cette population composée de toutes les nations et de toutes les sectes de l'Europe, excepté des Mahométans, est infiniment au delà de ce à quoi les écrivains les plus modernes l'ont portée; son accroissement va d'une rapidité étonnante et toujours en proportion de l'augmentation de ses moyens de subsistance dont la source paroît intarissable et coule pour ainsi dire dans le sein de l'humanité.

Ces moyens sont dans cette République bien plus faciles que dans aucun état de l'Europe. Il est au choix du colon de se procurer au delà de ses besoins de première nécessité par l'un ou l'autre de ces moyens et de passer de l'un à l'autre sans entrave; on n'y connoît ni corps de métiers ni corporation. La liberté est en plein champ. L'agriculture ou la culture n'est généralement parlant ni pénible ni dispendieuse comme en Europe, et ses produits sont au moins au triple. La navigation y occupe une immense quantité de monde. Les matelots et ouvriers de tout genre y sont salariés au delà du double de ceux de l'Europe. Un commerce actif et passif, suite naturelle de l'agriculture et de la navigation, acquiert chaque jour des nouvelles branches par les nouveaux besoins, par le luxe rapide et les mœurs ou innées ou adoptées des habitans et de leurs voisins. Il n'y a peut-être aucune nation plus inclinée à imiter, et leur facile crédulité les y porte bien aisément.

Cet accroissement prodigieux et subit de population tient au surplus aux émigrations de l'Europe. La Gazette de cette ville fait monter à onze mille le nombre des Irlandois qui seroient débarqués dans les ports de la nouvelle République pendant la dernière année.

Il y a encore en ce moment deux navires dans le port de Philadelphie qui en ont amené deux cent cinquante de cette nation. L'un a déjà vendu sa cargaison de chair humaine; on les achète pour un terme d'années. La même gazette du 25 May dernier indique qu'il est arrivé à Baltimore, en 15 jours de tems, huit navires de différens endroits de l'Irlande avec des *servantes*, c'est à dire des serves pro tempore, et passagers.<sup>15</sup>

Ce n'est pas seulement de l'Irlande qu'il vient ici du peuple et des émigrans. Il en vient un très grand nombre des différens États de

<sup>14</sup> Extract from note A annexed to the relation of Baron de Beelen, June 21, 1784. *Ibid.*

<sup>15</sup> [The reference is to the *Pennsylvania Gazette* of May 26, 1784 (there was no number for May 25): "By accounts from Baltimore we learn, that within the last two weeks eight vessels have arrived at that port from different parts of Ireland, with servants and passengers." Announcements like the following occur in almost every issue of the *Gazette* at this time: "Monday morning the ship *friendship*, Capt. M'Adam, arrived here from Belfast, with near 400 passengers." *Ibid.*, June 30, 1784.]

l'Empire; des Allemands établis ici depuis quelques années conviennent d'un tantième par tête avec un armateur américain ou autre pour les émigrans qu'il lui procurera en retour d'Amsterdam ou d'autres ports de l'Europe. Cet enrôleur passe et revient avec le même navire et ceux qu'il a induits ou séduits. L'Angleterre et l'Écosse fournissent de même à l'augmentation du peuple américain (Extrait d'une lettre de Londres à Boston, 10 Mars 1784: The present situation of public affairs portends most direful consequences, public credit is low and daily diminishing. To your state the eyes of the peaceful inhabitants of this devoted country are directed as an asylum from civil dissensions. Thousand are now preparing to embark, and many more will soon follow them to your peaceful shores.)

Aussi l'ensemble de ces nouveaux venus en si peu de tems, joint aux progrès de la multiplication du peuple fondamental et d'autres causes, ont déterminé les États-Unis à circonscrire dix nouvelles provinces, nommément sur l'Ohio jusqu'au Mississippi. . . .

Les Pais étrangers et les sauvages y avoisinant qui se civilisent concourent au surplus à les peupler subitement. Nos toiles y gagneront donc encore un autre nouveau débouché qui ira pendant de longues années en augmentant, ainsi que cela est arrivé dans les treize États primitifs, où le peuple n'a commencé que depuis peu, depuis—dis-je-qu'on y jouit du bonheur de la paix, à se donner des toiles, linge etc. . . . plus abondamment tant en habillemens qu'en meubles et d'en faire usage comme les Européens. Cela n'est pas même encore à tous égards général. Les lits de la plus grande partie des habitans, des gens même très aisés, sont sans rideaux; le sexe de basse classe et c'est le plus nombreux ne se couvre pas la tête<sup>16</sup> très peu la gorge, laissant les cheveux épars, quelques unes retroussées même dans le fort de l'hiver; mais la classe moienne en est déjà aux bonnets de toile en tout genre et l'on s'aperçoit chaque jour de l'imitation.

Il y a au surplus ici une plus grande consommation de toiles par un nombre égal de peuple en comparaison avec l'Europe; elle provient en partie de l'insouciance ou paresse pour l'économie ou la conservation de ce qu'il possède, au savon liquide dont le peuple fait usage pour le blanchiment, dont le mordant opère une plus prompte dissolution des linges et toiles. La consommation des toiles s'accroît encore par l'usage qu'en fait le peuple des deux sexes à la campagne pour son habillement pendant neuf à dix mois de l'année, ce qui est l'effet du climat.

La législation à laquelle les Américains se sont soustraits les mit dans le cas de faire un usage presque exclusif des toiles du Royaume d'Irlande. Sous la même domination et quelle qu'ait été la durée de la guerre que la révolution a entraînée, quelles qu'aient été les entraves qui en sont une suite nécessaire, les toiles d'Irlande ont pénétré. Elles ont été de tems en tems importées par des navires qui ont échappé à la vigilance de leurs ennemis; le besoin forçoit les uns et l'intérêt les autres.

Le haut prix qui résultoit de ces circonstances et le défaut pour la classe qui n'est pas en état de s'y porter, le fléau de la guerre, dis-je, qui privoit les insurgens d'une infinité d'articles de première nécessité, aiguillonna en quelque sorte leur industrie et l'activité qui ne leur est d'ailleurs pas naturelle. Ils semèrent plus de lin et de chanvre que

<sup>16</sup> We have seen above (no. IV., ante, p. 570) that when women go out *attired* (to church, for example) they are always provided with a hat or bonnet. The reference here is to "négligé".



jamais et ils parvinrent à se donner une toile nationale, mais seulement d'usage dans l'extrême besoin, n'ayant comme ils ne l'ont pas encore présentement que la connoissance la plus grossière et de la culture et de la préparation du lin. Le but principal que le colon se propose en cultivant le lin est, généralement parlant, d'en recueillir la graine; elle passe copieusement et par cargaisons entières en Irlande et, comme on la laisse complètement mûrir, la filasse est presque entièrement détruite avant la récolte.

Ils n'ont aucune idée d'une blanchisserie ni des apprêts semblables ou approchans des nôtres; aussi n'y a-t-il pas une seule blanchisserie de toiles dans toute l'étendue des États-Unis.

Habitué de tout tems aux qualités des toiles d'Irlande et les Irlandois à en approvisionner l'Amérique septentrionale, ce commerce reprit son plein cours à la conclusion de la paix. Les affiches, les feuilles publiques annoncèrent l'arrivée de ces toiles d'Irlande alors surchargées par le même effet qui en avoit privé ces Américains. Les négocians des principales villes et les commissionnaires<sup>17</sup> de ceux de Glasgow et autres lieux rentrèrent dans cette branche, replacèrent les écriteaux et les enseignes qui indiquoient les *Irish Linen Store* ou Magasin de toiles d'Irlande. Telles ont été et sont présentement à Philadelphie et en Pensilvanie les maisons de commerce de

Thomson et M'Clenachan, in Frontstreet near Pinestreet,  
Davan et Duane, in Marketstreet opposite the post office Wilmington,  
Peter Wikoff, in Frontstreet halfway between Arch and Races street,  
John Henry in Waterstreet between Chestnut and Walnut street,  
Campbell and Kingston

et plusieurs autres tels que Bach et Jey Oeller etc. qui se chargent des ventes en commission.

à New York:

William Thomson et Co. No. 16 Waterstreet

Wilsons and Saidler, no. 12 Queenstreet

. . . Mais les Irlandois en important tout à coup des quantités considérables de leurs toiles, que le défaut de ce grand débouché avoit emmagasinées pendant plusieurs années, ou dont les qualités n'ont pas été portées, par une économie forcée des fabriques sans débit, à la perfection qu'elles peuvent avoir eu avant la guerre, les Irlandois—dis-je, se sont déviés du principe de n'envoyer à l'étranger que des marchandises assez bien conditionnées pour obtenir la préférence, ou du moins soutenir la concurrence. . . .

Ne conviendrait-il pas de saisir avec empressement des circonstances si propices pour mettre ici en commerce avec quelque effort même relatif nos belles et bonnes toiles de Bohême et de Silésie.

. . . Dans l'un de ces magasins que tient ici avec quantité d'autres articles le nommé Ghovaers, associé et commissionnaire de la maison de De Heyder, Veidt, Ravenstein, Dewall et cie. d'Anvers<sup>18</sup> il y avoit

<sup>17</sup> In a memorandum upon the cloths of Limburg, drawn up from the indications of Beelen and addressed to the Estates of Limburg, April 23, 1785, occurs this passage: "On fait une observation qu'il est essentiel de porter à la connoissance de nos fabriquans, qu'il n'y a pour ainsi dire pas dans Philadelphie de véritables négocians, tous font en commission et prennent à ce titre 5% de la vente, 2 et 2½ de magasinage et 5% de l'achat de la marchandise en retour."

<sup>18</sup> In regard to this firm see Schlitter, *Die Berichte*, pp. 332, 418, 424, 654, 664, 722, etc.

passé quelques mois une quantité très considérable des toiles de Flandre qui est venue par Ostende à Philadelphie et qui a fait partie de deux cargaisons. Il n'en reste à cette date que douze balles invendues. . . .

Les toiles écruës ne sont guère demandées ici. . . . En effet j'ai vu dans ce même magasin une partie de toiles en écru, de valeur huit à neuf mille florins de Brabant, dont Ghovaers se disait embarrassé au point qu'il balance de les renvoyer, car il n'y a, heureusement pour notre commerce de toile en général, encore aucune blanchisserie de toiles dans toute l'étendue des États-Unis.

IX. PROSPECTUS PUT IN CIRCULATION BY THE UNITED STATES TO  
ATTRACT COLONISTS, 1785.<sup>19</sup>

Monsieur, je n'ai pas oublié qu'à mon passage par Bruxelles, sur la fin de juin dernier, je vous promis de vous faire part du fruit de mon séjour dans la Pensylvanie. . . . Je commence par vous envoyer une pièce que les États unis du Nort America font adroitement circuler en Europe, pour attirer à eux ceux qui croient à ce galbanum.<sup>20</sup> Ainsi a été pris le baron de Belen, conseiller de commerce de Sa Majesté impériale. Comme ce prospectus donnoit justement dans ses idées d'agriculture, il y a cru et en conséquence a acquis des terres dans le comté de Lancaster. Mais moi qui ai visité ces provinces en philosophe, j'assure qu'il ne résulte rien de ce prospectus.

X. THE REMOVAL OF THE SEAT OF CONGRESS FROM PHILADELPHIA TO  
NEW YORK; ISSUE OF PAPER MONEY BY THE STATE OF PENN-  
SYLVANIA; BANKS AND COMMERCIAL HOUSES.<sup>21</sup>

. . . On s'aperçoit plus que jamais à Philadelphie du siège du Congrès à New York.<sup>22</sup> Tous les départemens y ont été transférés, celui de la marine, pour lequel le Congrès a dénommé un ministre, s'y fixa la semaine dernière, le tout en attendant que la nouvelle ville de confédération, l'hôtel pour le Congrès et ses ministres soient construits près de la Delaware;<sup>23</sup> les commissaires s'en occupent déjà.

L'État de Pensylvanie va mettre en circulation pour 150,000 £ de papier monnaie de 10 sh. jusqu'à 3 d; les sentimens sont partagés sur les bons ou mauvais effets de cette opération de finances. Le fait est qu'il n'y a pas assez de numéraire. On songe, mais vaguement encore, à une monnaie nationale. L'affluence des étrangers négocians ou marchands se ralentit en cette ville; plusieurs françois retournent chez eux; les articles de France-Europe ne conviennent guères dans ces marchés généralement parlant. D'autres nations peuvent y fournir les plus essentielles à plus bas prix, peu d'entre eux y ont fait de bonnes affaires, quelques mauvaises qui ont entraîné des faillites. Ceux de la société des Quakers et autres nationaux sont rarement dans ce cas; ils se soutiennent et

<sup>19</sup> Extract of a letter of Pierre Ransonnet, formerly a cavalry officer in the service of Austria, to M. de Reuss, joint Secretary of State and War in Brussels. The letter is dated at Liège, February 8, 1785. Brussels, Archives Générales, "Chancellerie des Pays-Bas à Vienne", portfolio 303.

<sup>20</sup> This document is missing from the dossier.

<sup>21</sup> Extract of a letter from Baron de Beelen to M. de Reuss (see *ante*, note 19). The letter is dated at Philadelphia, March 20, 1785. *Ibid*.

<sup>22</sup> [Cf. Schlitter, *Die Berichte*, p. 391. Congress adjourned from Trenton on December 24 and met in New York on January 11.]

<sup>23</sup> [See the *Journals of the Continental Congress*, December 23, 1784.]

s'épargnent mutuellement et ne s'exposent pas aux effets rigoureux de la banque. La maison de commerce de De Heyder et Veith d'Anvers est une des mieux accréditées parmi les étrangères, celle de Praegers et Liebaert l'est également, mais la dépense domestique et de bureau qu'elle fait qui monte à trois mille £ annuellement par les traitemens, équipage au delà de l'état d'un négociant, ainsi que Praegers me l'a dit lui même, retranche dans l'opinion sur sa solidité telle qu'elle puisse être.<sup>24</sup> Le directeur anversoïse se conduit plus sagement à cet égard et c'est ce qu'il faut pour saisir l'esprit de la nation.

XI. PROPOSITION OF KAUNITZ-RITTBERG, CHANCELLOR OF COURT AND STATE IN VIENNA, CONCERNING A TREATY OF COMMERCE WITH THE UNITED STATES, AND THE AUTOGRAPHIC INSTRUCTIONS OF JOSEPH II., FEBRUARY 27, 1786.<sup>25</sup>

*Sire,*

Les États Unis de l'Amérique ayant fait témoigner par le Sieur Franklin dès l'an 1784 leur désir de conclure un traité d'amitié et de commerce avec Votre Sacrée Majesté Impériale et Roïale Apostolique, le Comte de Mercy fut autorisé par ses Ordres d'écouter les propositions ultérieures qui lui seroient faites à ce sujet.

Je requis en même tems tant le Gouvernement Général des Pays Bas que la Chancellerie de Bohême et d'Autriche de donner leurs avis sur la conclusion et les objets d'un arrangement du Commerce avec les dits États-Unis, qui me parvinrent sur la fin de 1784 et au commencement de 1785, c'est à dire dans un tems, où les différens survenus avec les hollandois nécessitoient la suspension d'une semblable négociation par la grande connexion qu'ils avoient avec l'état futur du Commerce des Provinces belgiques.

Mais cette cause de suspension venant à cesser aujourd'hui et le Sieur Jefferson, qui a remplacé le Sr. Franklin dans le poste de Ministre des États Unis à Paris, ayant renouvelé depuis peu au Cte. de Mercy la proposition d'un Traité d'amitié et de Commerce sur le pied de ceux que d'autres Puissances Européennes ont conclu avec eux, je ne dois pas tarder plus longtems de faire mon rapport sur cette matière à Votre Majesté et de l'accompagner de mon très humble avis.

Le Gouvernement Général des Pays Bas, en reconnaissant l'utilité qu'un pareil arrangement de Commerce auroit pour les Provinces belgiques, avoit proposé de prendre pour base du nôtre, le traité de commerce que la Hollande a conclu avec les États Américains le 7<sup>26</sup> octobre 1782, avec quelques légères modifications et omissions que la différence des circonstances suggéroit.

J'ai l'honneur de joindre ici copie de ce traité de la Hollande, ainsi qu'un imprimé d'un Traité de Commerce antérieur fait par la France avec les dits États, lequel avoit servi de modèle à celui des hollandois, de même qu'à celui qui a eu lieu depuis avec la Suède et qui probablement servira également de modèle à tous ceux que la nouvelle République confédérée conclura à l'avenir avec telle autre Puissance que ce soit.

<sup>24</sup> It is remarkable that this house (De Heyder, Veydt, and Company, of Antwerp), which did a large business, and of which Baron de Beelen speaks so highly, failed shortly afterward. Cf. H. Van Houtte, "Contribution à l'Histoire Commerciale des États de l'Empereur Joseph II., 1780-1790", in *Vierteljahrschrift für Social- und Wirtschaftsgeschichte*, 1910, pp. 390-391.

<sup>25</sup> Vienna, Kaiserl. Königl. Staatsarchiv, "DD, Vorträge, 13".

<sup>26</sup> [The correct date is October 8.]

Or tous ces traités de Commerce des États Américains sont fondés sur les principes sages et salutaires, 1° d'établir une parfaite égalité d'avantages et de faveurs vis-à-vis de toutes les nations étrangères qui leur en accordent la réciprocité par des Traités.

2° de se réserver mutuellement la pleine liberté de régler les douanes comme chacun le trouvera convenable.

Sur quoi je dois remarquer préalablement que ces deux principes correspondent entièrement avec le système de Commerce et de Douanes établi dans les États de Votre Majesté et lèvent par conséquent les obstacles qui s'opposeroient sans cela de notre part à l'arrangement proposé.

En partant de ces principes les objets des dits Traités, qui regardent proprement *le Commerce* et la communication des sujets réciproques, se bornent aux suivans :

1°. On s'accorde mutuellement les droits des nations les plus favorisées.

2°. le Droit d'Aubaine est aboli pour les sujets respectifs.

3°. liberté de conscience pour ces mêmes sujets moyennant qu'ils se soumettent quant à la démonstration publique, aux loix du Pays.

4°. Permission d'établir des Consuls, Vice Consuls etc, etc.

5°. Assistance des Vaisseaux et Personnes naufragées. Toutes stipulations qui peuvent être adoptées de notre part sans le moindre inconvénient.

Les autres articles des traités de Commerce mentionnés ont rapport

1°. *aux principes de neutralité maritime*, à l'égard desquels on y adopte à peu près les mêmes principes qui ont été proposés par la Russie et avoués par l'accession solennelle de Votre Majesté.

2°. *Aux circonstances de la guerre maritime durant laquelle ces traités ont été conclus ou qui pourroient survenir à l'avenir*, et particulièrement à la protection mutuelle des navires appartenans aux sujets respectifs, à la défense faite à ces derniers de servir sur mer contre l'autre puissance, et enfin à un réglemeut réciproque au sujet des prises et reprises qui se feroient de part et d'autre.

Quant à la Chancellerie d'Autriche et de Bohême, il m'a été communiqué de sa part l'avis du Gouvernement de Trieste ainsi que celui des principaux négocians de ce port sur l'objet en question, desquels il résulte, que quel que puisse être le succès des spéculations et des essais que plusieurs d'entre eux avoient déjà entrepris vers les ports de l'Amérique septentrionale et dont on ne pouvoit encore rien avancer de certain, il seroit toutefois essentiel de stipuler pour nos Vaisseaux, sujets et marchandises *les droits accordés de part et d'autre aux Nations les plus favorisées*.

Or comme 1° ce résultat s'accorde tout à fait avec l'avis du Gouvernement Général des Pays Bas, attendu que le traité de commerce des hollandois proposé pour base du nôtre ne contient d'autres articles sur l'objet du commerce que de tels qui rentrent immédiatement dans cette stipulation générale, recommandée par le Gouvernement de Trieste, ou qui dérivent déjà d'eux mêmes du droit des Gens ;

Comme, en second lieu, il est non seulement convenable, après les démarches que Votre Majesté a déjà faites en faveur des principes de Neutralité maritime, d'en étendre de plus en plus l'adoption et l'autorité, mais qu'aussi les Pays Bas sont immédiatement intéressés à ce que, dans le cas d'une guerre maritime future, le Pavillon de Votre Majesté jouisse partout de tous les avantages de la Neutralité ;



Comme enfin cette dernière considération s'étend aussi à quelques unes des stipulations, ci-dessus indiquées, relatives aux prises et reprises et à la protection des navires en tems de guerre :

Je suis du respectueux avis qu'aucune difficulté ne s'oppose à la confection d'une convention avec les dits États Unis, conforme pour la substance aux traités mentionnés, moyennant les modifications nécessaires dans la forme et le fond; mais qu'au contraire un pareil arrangement seroit utile aux Provinces belgiques de Votre Majesté soit en tems de paix soit en cas de guerre maritime; en même tems que les négocians de Trieste et de Fiume, supposé qu'ils parviennent réellement à former quelques relations de Commerce avec l'Amérique septentrionale, ne pourront y réussir qu'à la faveur des mêmes droits qu'on y accorde aux Nations favorisées.

Je suis d'autant plus confirmé dans ce très humble avis que dans le fond Votre Majesté n'accorderoit en réciprocité absolument rien que ce qui se trouve accordé dès à présent à toutes les nations étrangères qui fréquentent les Ports flamands et du *Littorale*; en sorte que sans traité de Commerce les Américains obtiendroient réellement tout ce qu'ils peuvent désirer, tandis qu'il n'en seroit pas de même des sujets de Votre Majesté, puisque suivant les derniers rapports du Baron de Beelen les sujets des Puissances qui n'ont pas encore de traité avec les États Unis y éprouvent une grande différence dans l'accueil et le traitement qu'on leur fait en comparaison des autres; et que la plupart de ces États ont fait, ou se disposent à faire des réglemens qui assujettissent les premiers à un surcroît de droit d'imposition; circonstance qui met toutes les Nations Européennes dans la nécessité de conclure des conventions avec ces États, à moins qu'elles ne veuillent renoncer à toute liaison de Commerce avec eux.

Par toutes ces considérations je crois en toute soumission que Votre Majesté pourroit permettre que j'autorise le Comte de Mercy, de concert avec le Gouvernement Général, à la négociation et conclusion d'une pareille convention sur les principes et avec les modifications ci-dessus indiqués, comme étant une démarche, par la quelle on ne s'expose à aucun risque ni inconvénient, et qui sans contredire en rien le système et les intérêts des Provinces Allemandes de Votre Majesté, offriroit une utilité réelle pour le Commerce des Provinces belgiques.

Je sou mets néanmoins le tout avec le plus profond respect à la Souveraine Détermination de Votre Sacrée Majesté.

KAUNITZ R.

J'approuve entièrement ce que vous proposés et le Comte de Mercy peut être autorisé en conséquence. Mais comme je suis décidé à faire adopter le Pavillon *d'Autriche* dans tous les Ports de la Hongrie, du *Littorale*, des Provinces Belgiques, ainsi que de la Toscane, il convient d'exprimer particulièrement, que formant ce traité de Commerce uniquement comme chef de ma maison, tous les avantages ne seront censés stipulés qu'en faveur du Pavillon *d'Autriche* qui est blanc et rouge. Vous chargés en même tems le Gouvernement des Païs Bas pour que dès à present ce Pavillon soit généralement introduit dans les ports flamands à l'exclusion de tout autre, la chancellerie de Bohême et d'Autriche ainsi que celle d'Hongrie recevant les mêmes ordres à l'égard des Ports respectifs.

JOSEPH.

NOTE ON AMERICAN NEGOTIATIONS FOR COMMERCIAL TREATIES,  
1776-1786.

Among the documents transmitted by Professor Van Houtte is the project of a treaty with Austria which was proposed by Jefferson in May, 1786, to the Comte de Mercy-Argenteau, minister of the Imperial government at the court of Versailles; but, as will be pointed out farther on, this project approximates so closely the treaty concluded with Prussia on September 10, 1785, that it is not here printed. The project itself possesses, however, an interest of its own, inasmuch as it is the result of an evolutionary process which had its initial stages in the very beginnings of American diplomatic history, and which it is therefore worth while to describe in this place.

On July 18, 1776, a committee of the Continental Congress reported a "plan of treaties to be entered into with foreign states or kingdoms", which, after some emendations, was adopted on September 17 following.<sup>1</sup> The instructions which were superadded to the plan on September 24 left the way open for many modifications of the provisions laid down in the plan, yet a comparison of the draft prepared by Congress with the treaty of amity and commerce concluded with France on February 6, 1778, shows that in language as well as in substance the plan was closely adhered to in that treaty.<sup>2</sup> The interesting fact is that this same plan appears in practically every negotiation for a treaty of amity and commerce which took place during the entire period of the Continental Congress. Articles might be added or subtracted, enlarged or reduced or otherwise modified, but the plan retains through all the changes an easily recognized identity.

The plan was drawn primarily to be used as a basis for negotiations with France, yet it is evident that the possibility of treating with other powers was held in view, and this idea took substantial form on December 30, when it was resolved: "That Commissioners be forthwith sent to the Courts of Vienna, Spain, Prussia and the grand Duke of Tuscany".<sup>3</sup> Franklin was at once chosen for the

<sup>1</sup> The plan as originally reported, showing the process of revision, is printed in the *Journals of the Continental Congress* (ed. W. C. Ford), July 18, 1776, and in its amended form, *ibid.*, September 17, 1776. The committee which drew up the plan was appointed on June 12 in pursuance of a resolution of June 11, that is, while the Declaration of Independence was yet brewing.

<sup>2</sup> The treaty with France is found in *Jour. Cont. Cong.*, May 4, 1778, and in *Treaties, Conventions, etc., between the United States and Other Powers* (ed. Malloy), I. 468-479.

<sup>3</sup> See the further resolves outlining the instructions, *Jour. Cont. Cong.*, December 30, 1776. This action was anticipated by some "additional instructions to B.F., S.D., and T.J.", October 16.

Spanish mission,<sup>4</sup> but the commissioners to the other courts, William Lee to Berlin and Vienna, and Ralph Izard to Tuscany, were not chosen until the following May.<sup>5</sup> The instructions to William Lee and Ralph Izard contain this clause: "For your better instruction herein, the commissioners at the court of Versailles will be desired to furnish you, from Paris, with a copy of the treaty originally proposed by Congress, to be entered into with France, together with the subsequent alterations that have been proposed on either side."<sup>6</sup> The efforts to negotiate with Spain were unsuccessful, Izard never went to Tuscany, and although William Lee did go to Vienna he found no opportunity to negotiate a treaty with that court.<sup>7</sup>

On retiring to Frankfort, however, in the summer of 1778, Lee took it upon himself to draw up with John de Neufville, representing the city of Amsterdam, what the negotiators considered to be "a proper treaty of commerce to be entered into" between the Netherlands and the United States.<sup>8</sup> Lee wrote to the Committee of Foreign Affairs on September 12<sup>9</sup> that the draft contained "all the substantially advantageous articles of the commercial treaty with France and some beneficial additions". It is evident from an examination of this project that Lee had before him not only the treaty with France but also the original plan which was drawn up in Congress nearly two years before. It may also be noted here that parts of Lee's draft not found in either of his models were incorporated into subsequent treaty projects. Lee avowed that he had no authority to sign a treaty with the Netherlands, but he repeatedly urged Congress to adopt measures for giving its sanction to the treaty which he had drawn.<sup>10</sup>

<sup>4</sup> January 1, 1777. On May 1 Arthur Lee was also appointed to negotiate with the Spanish court.

<sup>5</sup> Izard was elected on May 7, Lee on May 9.

<sup>6</sup> *Jour. Cont. Cong.*, July 1, 1777.

<sup>7</sup> See Schlitter, *Die Berichte des Ersten Agenten Oesterreichs in den Vereinigten Staaten von Amerika*, pp. 225-227; also Lee's correspondence in Wharton, *Revolutionary Diplomatic Correspondence of the United States*, II., and Sparks, *Diplomatic Correspondence of the American Revolution*, vol. II.

<sup>8</sup> Lee's project bears the date September 4, 1778. It is recorded in *Jour. Cont. Cong.*, under the date of February 22, 1779, and is also found in Wharton, *Dipl. Corr.*, II. 789-798. See also Van Berckel to Dumas, September 23, 1778 (*ibid.*, II. 738).

<sup>9</sup> *Ibid.*, II. 715.

<sup>10</sup> Letters to the Committee of Foreign Affairs, September 12, October 15, 1778, and February 26, 1779. *Ibid.*, II. 715, 789; III. 65. Lee also delivered a copy of his treaty to the commissioners in Paris, who intimated that at a proper time they would themselves take up the matter of negotiating such a treaty with the Netherlands. See the letter of the commissioners to William Lee, September 26, 1778 (*ibid.*, II. 744); cf. their letter to Dumas, October 16 (*ibid.*, p. 798). In fact such a step had already been taken. See the commissioners to Dumas, April 10, 1778 (*ibid.*, p. 545).

Lee's project came before Congress February 22, 1779, and there for several months remained buried. In October<sup>11</sup> of that year Henry Laurens was chosen to negotiate a treaty of amity and commerce with Holland, and a draft of a treaty was prepared for him. Again, however, there was a long delay, this time for more than a year, when the commission for this particular purpose was transferred to John Adams and the draft which had been drawn up for Laurens was somewhat modified and adopted. This was on December 29, 1780.<sup>12</sup> This plan of Congress shows its indebtedness to Lee's project as well as to the French treaty and the plan of September, 1776, for it includes some of Lee's "beneficial and agreeable additions"; on the other hand it omits some of those provisions, as it also modifies in places both the language and the matter of its three models.

Complications in Europe long postponed negotiations with the Netherlands,<sup>13</sup> but finally, on April 23, 1782, Adams laid before their High Mightinesses a project of a treaty "drawn up conformable to the instructions of Congress".<sup>14</sup> The precise form of Adams's draft is not known<sup>15</sup> but it probably differed but little from the treaty actually concluded on October 8 of that year, which includes provisions from Lee's project and the French treaty which are not found in the plan drafted in Congress, and also embodies other modifications, while retaining in large measure nevertheless the identical language of those projects.<sup>16</sup>

While the Dutch treaty was in progress of negotiation steps were taken toward concluding a similar treaty with Sweden. On June 25, 1782, Franklin wrote to Livingston that Sweden desired to enter into a treaty of amity and commerce with the United States, and

<sup>11</sup> See *Jour. Cont. Cong.*, October 21, 26, and 30; also November 16.

<sup>12</sup> See the plan in the *Journals* under that date. Dumas had, on March 15, 1780, sent to the Committee of Foreign Affairs a plan of a treaty with the Netherlands, but this plan has not been found and no evidence has been discovered that any use was made of it. See Wharton, *Dipl. Corr.*, III. 549; cf. Dumas to the President of Congress, March 21 (*ibid.*, III. 565), and Franklin to Dumas, April 23 (*ibid.*, III. 625).

<sup>13</sup> Congress had meanwhile (August 16, 1781) issued additional instructions to Adams. See the *Journals* and Wharton, *Dipl. Corr.*, IV. 636; see also some observations of a committee of Congress, July 17, 1782 (*Secret Journals of the Acts and Proceedings of Congress*, III. 144).

<sup>14</sup> Adams to Livingston, April 23, 1782 (Wharton, *Dipl. Corr.*, V. 325); cf. Adams to the President of Congress, January 14, 1782 (*ibid.*, p. 97); Dumas to Livingston, May 10 (*ibid.*, p. 409); and Adams to Dana, May 13 (*ibid.*, p. 415).

<sup>15</sup> But see Adams to Livingston, June 9 and 15, and October 8, 1782 (*ibid.*, pp. 482, 495, 803).

<sup>16</sup> The treaty is found in the *Journals* under January 23, 1783, and in *Treaties, Conventions, etc., between the United States and Other Powers* (ed. Malloy), II. 1233-1244.



he suggested that a particular power be given him for that purpose.<sup>17</sup> Accordingly on September 28 a draft of a treaty to be proposed to the Swedish government was adopted by Congress and sent to Franklin, together with appropriate commission and instructions.<sup>18</sup> The preparation of a special plan of a treaty with Sweden would appear to have been a work of supererogation, for the old plans were drawn forth and only subjected to minor alterations and some omissions.<sup>19</sup> By April 3, 1783, the treaty had been concluded and signed.<sup>20</sup> Franklin says of the treaty: "It differs very little from the plan sent me; in nothing material."<sup>21</sup> Notwithstanding this statement provisions which are not found in the draft sent to Franklin were incorporated from the French and Dutch treaties; moreover the language of the treaty was in greater degree recast than had been done in any previous instance.

Meanwhile Denmark was likewise manifesting a desire "to form as soon as possible reciprocal connexions of friendship and commerce" with the new republic, and that government's minister of foreign affairs, Rosenchrone, suggested (February 22, 1783) that "the shortest way of accelerating these new connexions would be to take the treaty between the Congress and the States General for the basis."<sup>22</sup> Franklin responded (April 13) by sending such a sketch "formed on the basis of our treaty with Holland".<sup>23</sup> To Livingston Franklin wrote on April 15 that, while waiting for express powers from Congress, he had sent to the Danish minister for his consideration "a translation of the plan, *mutatis mutandis*, which I received from Congress for a treaty with Sweden".<sup>24</sup> On July 8 Rosenchrone submitted a counter-project which was in most respects, both in form and substance, identical with the Swedish treaty, although embodying several modifications.<sup>25</sup>

<sup>17</sup> Wharton, *Dipl. Corr.*, V. 510. See also Adams to Livingston, December 14, 1782 (*ibid.*, VI. 133), and Franklin to Livingston, December 24 (*ibid.*, VI. 163).

<sup>18</sup> See *Jour. Cont. Cong.*, September 19 and 28, 1782.

<sup>19</sup> One unaccountable omission was the article concerning "liberty of conscience".

<sup>20</sup> The treaty is in *Jour. Cont. Cong.*, July 29, 1783, and in *Treaties, Conventions*, etc. (ed. Malloy), II. 1725-1735.

<sup>21</sup> Franklin to Livingston, March (April ?) 7, 1783. Wharton, *Dipl. Corr.*, VI. 276.

<sup>22</sup> Rosenchrone to Walterstorff, February 22, 1783. *Ibid.*, p. 261.

<sup>23</sup> Franklin to Rosenchrone, April 13, 1783. *Ibid.*, p. 372.

<sup>24</sup> *Ibid.*, p. 397; cf. Franklin to Livingston, June 12, 1783: "The treaty with Denmark is going on. . . . It is on the plan of that proposed by Congress for Sweden." *Ibid.*, p. 480.

<sup>25</sup> This counter-project is in *ibid.*, pp. 519-527, accompanying a letter from Franklin to Livingston, July 22-25, 1783.

Portugal next came forward with proffers of friendship and trade. On June 12, 1783, Franklin wrote to Livingston: "Portugal has likewise proposed to treat with us, and the ambassador has earnestly urged me to give him a plan for the consideration of his court, which I have accordingly done, and he has forwarded it."<sup>26</sup> Returning to the subject in his letter to Livingston, July 22, he wrote: "The ambassador of Portugal . . . appears extremely desirous of a treaty with our States; I have accordingly proposed to him a plan of one (nearly the same with that sent me for Sweden) and, after my agreeing to some alterations, he has sent it to his court for approbation."<sup>27</sup> On November 1 Franklin wrote to the President of Congress that the conclusion of the Danish treaty waited only for the commission and instructions from Congress, and that the treaty with Portugal was under consideration at the Portuguese court.<sup>28</sup> Inasmuch as the proposed treaties with Denmark and Portugal did not, in the period under consideration, reach fruition, it is aside from the purpose of this note to trace them further. It should nevertheless be here noted that after the coming of Jefferson in 1784 negotiations were renewed with both powers, and new, that is, somewhat modified, drafts were offered to the representatives of those governments,<sup>29</sup> but these projects likewise failed of consummation.

Up to this time special powers for negotiating and signing each particular treaty had seemed necessary; but now, since there appeared to be an inclination among the European governments generally to enter into treaties of amity and commerce with the United States, Congress issued on October 29, 1783, general instructions to the ministers at Versailles authorizing them to negotiate and sign treaties with all the powers with which treaties were desirable, and on May 7, 1784, adopted a new outline for such treaties.<sup>30</sup> On the same day Jefferson was joined to Adams and Franklin in the mission. This time no attempt was made to draw up a plan of treaties in specific form, but only fundamental provisions were laid down. Nevertheless the old plan continued to do duty, or what was essentially the same thing, one of the treaties already concluded was used as a model. Already, in March, 1784, Adams had begun negotia-

<sup>26</sup> *Ibid.*, p. 480.

<sup>27</sup> *Ibid.*, p. 580. The text of the plan is in *ibid.*, pp. 588-591.

<sup>28</sup> *Ibid.*, p. 721.

<sup>29</sup> See the reports of the commissioners to Congress, November 11 and December 15, 1784 (*Diplomatic Correspondence of the United States of America from the Signing of the Treaty of Peace*, I. 534, 544); Jefferson to Walterstorff, February 3, 1785 (*ibid.*, pp. 547-549), and *cf. post*, pp. 584, 585.

<sup>30</sup> See *Secret Journals* (Foreign Affairs), October 29, 1783, March 26, April 1, 2, May 7, and 11, 1784.

tions with the Prussian minister, who had "agreed to take our treaty with Sweden for a model, reserving to each party the right of suggesting such alterations as shall appear to him convenient".<sup>31</sup>

Shortly afterward that minister submitted to Adams a counter-project prepared at the Prussian court, retaining for the most part both the matter and the language of the Swedish treaty but introducing a few modifications.<sup>32</sup> Upon this Adams made some suggestions, and on June 7 wrote to the President of Congress that the treaty was ready for signature, unless Congress had other alterations to propose.<sup>33</sup> In August Jefferson arrived in Paris bringing the new commission and instructions, and the three commissioners now proceeded toward the perfection of the treaty.<sup>34</sup> The new instructions involved some additional provisions, and these were accordingly incorporated in a new project, which was transmitted to the Prussian minister on November 10.<sup>35</sup> Although negotiations were drawn out during several months with observations and counter-observations<sup>36</sup> the treaty which was finally concluded in July, 1785, was substantially this project with a few additions and omissions.<sup>37</sup>

This project is of especial interest because it was transmitted in its identical form, *mutatis mutandis*, to the courts of Portugal, Denmark, and Tuscany,<sup>38</sup> and with slight alterations to the representative of the Austrian government.<sup>39</sup> A part of it was also proposed as a treaty of commerce with Great Britain,<sup>40</sup> and in a con-

<sup>31</sup> Adams to the President of Congress, March 27, 1784. *Dipl. Corr. U. S. A.*, 1783-1789, I. 438. The same letter is in Wharton, *Dipl. Corr.*, VI. 782, with date March 2. See also Adams to the President of Congress, March 9 (*Dipl. Corr. U. S. A.*, I. 435), and Thulemeier to Adams, March 14 (*ibid.*, p. 439).

<sup>32</sup> The counter-project is in *Dipl. Corr. U. S. A.*, I. 443-453, inclosed in a letter of Adams to the President of Congress, April 10.

<sup>33</sup> *Ibid.*, p. 458. Adams's observations on the project are found at pp. 459-463. See also Adams to the President of Congress, May 13 (*ibid.*, p. 455).

<sup>34</sup> See the commissioners to Thulemeier, September 9. *Ibid.*, p. 505.

<sup>35</sup> *Ibid.*, p. 531. The proposed treaty is in *ibid.*, pp. 520-529.

<sup>36</sup> See, especially, Thulemeier to the commissioners, December 10, 1784 (*ibid.*, p. 545); the commissioners to Thulemeier, January 21, 1785 (*ibid.*, p. 546); Thulemeier to the commissioners, January 24 (*ibid.*, p. 553); the commissioners to Thulemeier, March 14 (*ibid.*, p. 554); Thulemeier to the commissioners, May 3 (*ibid.*, p. 578). Further correspondence concerning the treaty is found *ibid.*, pp. 580-600.

<sup>37</sup> The treaty was signed by Franklin on July 9, 1785, but the Prussian minister did not sign it until September 10. The treaty is found in the *Jour. Cont. Cong.*, under May 17, 1786 (*Secret Journals*, III. 25-43), and in *Treaties, Conventions*, etc. (ed. Malloy), II. 1477-1486.

<sup>38</sup> See the reports of the commissioners to Congress, November 11 and December 15, 1784. *Dipl. Corr. U. S. A.*, I. 534, 544.

<sup>39</sup> See *post*, p. 586.

<sup>40</sup> Commissioners to Caermarthen, April 4, 1786. *Dipl. Corr. U. S. A.*, I. 602-604.

siderably modified form it was offered to the Emperor of Morocco.<sup>41</sup> It has already been noted that the treaties with Portugal and Denmark were not in the end consummated, and the same is true of the treaty with Tuscany, although there appeared for a time fair prospects that the negotiations in all three instances would meet with ultimate success.<sup>42</sup>

The case of Tuscany deserves a further word. The project was transmitted on December 9, 1784,<sup>43</sup> to Favi, the Tuscan chargé d'affaires in Paris, who in turn transmitted it to his court. On August 26, 1785, Favi wrote to the commissioners that the grand duke had determined to accept the treaty, but that there were some amendments, which, though not changing the substance of the convention, were rendered indispensable by local circumstances and the regulations of the country.<sup>44</sup> The amendments proposed by the Tuscan court have not been found, but the observations of the commissioners upon them essentially reveal what the proposed alterations were.<sup>45</sup>

It has been seen that William Lee's efforts to negotiate a treaty with Austria in 1777 came to naught. Five years later he received indirect intimations that the Emperor was now desirous of entering into a treaty with the United States,<sup>46</sup> yet it was not until a year later that the Imperial government pressed its intimations upon the American ministers. Even then the suggestions were still indirect, for the Emperor desired that the first overtures should come from the side of the United States.<sup>47</sup> On July 13, 1783, Adams wrote to Livingston that the Emperor had caused it to be intimated in various ways that he wished to form a treaty,<sup>48</sup> and on July 22 Franklin wrote to Livingston: "I have it also from a good hand at the court of Vienna that the emperor is desirous of

<sup>41</sup> October, 1785. *Ibid.*, pp. 666-673. The treaty which was concluded with Morocco (January, 1787) differs still further from the project. The treaty is in *Jour. Cont. Cong.*, July 18, 1787, and in *Treaties, Conventions*, etc. (ed. Malloy), I. 1206-1212.

<sup>42</sup> See, especially, Jefferson to Jay, October 11, 1785, April 23, May 12, and August 13, 1786. *Dipl. Corr. U. S. A.*, I. 652, 725, 731, 804.

<sup>43</sup> *Ibid.*, p. 541.

<sup>44</sup> *Ibid.*, p. 578.

<sup>45</sup> *Ibid.*, pp. 583-591, accompanying a letter of the commissioners to Favi, June 8, 1785.

<sup>46</sup> William Lee to the Committee of Foreign Affairs, March 31, 1782. Wharton, *Dipl. Corr.*, V. 291.

<sup>47</sup> See Schlitter, *Die Berichte*, pp. 231-234.

<sup>48</sup> Wharton, *Dipl. Corr.*, VI. 538. Cf. Adams to Livingston, July 3, 7. *Ibid.*, pp. 510, 517.



establishing a commerce with us from Trieste, as well as Flanders, and would make a treaty with us if proposed to him.”<sup>49</sup>

What were the preliminary conferences between Franklin and the Austrian ambassador the correspondence does not reveal, although it is evident that definite negotiations awaited powers and instructions from Congress. This step was taken by Congress on October 29, 1783, and an addition to the instructions was adopted on May 7, 1784. Accordingly Franklin wrote to the Austrian ambassador, the Comte de Mercy-Argenteau, on July 30 that upon the arrival of Jefferson the commissioners would be ready to enter into a treaty with His Imperial Majesty.<sup>50</sup> Mercy-Argenteau at once communicated with his government<sup>51</sup> and on September 28 announced the Emperor's assent to the negotiation. “When the particulars respecting this matter shall be sent to me”, he added, “I shall instantly communicate them.”<sup>52</sup> There was no further word upon the subject for considerably more than a year. The resumption of negotiations is described by Jefferson in a letter to Jay, January 27, 1786.<sup>53</sup> On May 12 he wrote to Jay that the ambassador had asked for propositions and that he had given him a draft, “which was a copy of what we had originally proposed to Denmark, with such alterations as had occurred and been approved in our negotiations with Prussia, Tuscany, and Portugal”.<sup>54</sup> The Austrian government entered earnestly into the consideration of the project,<sup>55</sup> but meanwhile Jefferson's commission to sign such a treaty had expired,<sup>56</sup> and Congress failed to renew it.

<sup>49</sup> Franklin to Livingston, July 22-25. Wharton, *Dipl. Corr.*, VI. 580-591. The “good hand” was doubtless Jan Ingenhousz. See Franklin to Ingenhousz, May 16, 1783. Smyth, *Writings of Benjamin Franklin*, IX. 41.

<sup>50</sup> Wharton, *Dipl. Corr.*, VI. 817. Cf. Franklin to Thomson, November 11. *Ibid.*, p. 829.

<sup>51</sup> Mercy-Argenteau to Franklin, July 30. *Ibid.*, p. 817.

<sup>52</sup> *Ibid.*, p. 820.

<sup>53</sup> *Dipl. Corr. U. S. A.*, I. 713; *The Writings of Thomas Jefferson*, memorial edition, V. 265; cf. Jefferson to Adams, January 12 (*ibid.*, p. 248); Jefferson to Gerry, May 7 (*ibid.*, p. 315); and Jefferson to Monroe, May 10 (*ibid.*, pp. 325-333).

<sup>54</sup> *Ibid.*, pp. 335-338; *Dipl. Corr. U. S. A.*, I. 731.

<sup>55</sup> This is evidenced by the proposition of Kaunitz to the Emperor (*ante*, p. 576). It will be observed that this proposition bears a date anterior by some weeks to the time when Jefferson's project was submitted. See also Schlitter, *Die Berichte*, pp. 235-238, and Jefferson to Jay, September 26, 1786 (*Writings*, memorial edition, V. 424).

<sup>56</sup> The commission, which bore date of May 12, 1784, was to be in force not exceeding two years. See *Jour. Cont. Cong.*, May 7, 11, 1784 (*Secret Journals*, III. 489, 498); cf. Jay to Jefferson, October 27, 1786 (*Dipl. Corr.*, I. 794); Jefferson to Dumas, October 14, 1787 (*Writings*, memorial edition, VI. 341). Jefferson wrote to John Quincy Adams, March 30, 1826: “Austria soon after became desirous of a treaty with us, and her ambassador pressed it often upon me; but our commerce with her being no object, I evaded her repeated invitations.” *Ibid.*, XVI. 160.

The draft which Professor Van Houtte has brought to light is undoubtedly that which Jefferson submitted to the Austrian ambassador, and the majority of its articles are identical with the corresponding articles of the Prussian treaty. The principal differences are the following: Articles II. and III. of the Austrian draft omit the clause found at the end of those articles in the Prussian treaty, "submitting themselves nevertheless", etc. Article V. of the project is much more ample than that incorporated in the Prussian treaty, but is identical with the corresponding article of the draft submitted to the Prussian minister.<sup>57</sup> Several articles, in fact, which vary from the Prussian treaty follow verbatim the original propositions. Aside from some small variations in article VIII. the last half of that article in the Prussian treaty (beginning "except those established") is omitted. The clause in article X. of the Prussian treaty, "and exempt . . . subjects", is not found in the Austrian draft. Article XII. of the Austrian project contains, however, the following clause not found in the treaty: "On the other hand, Enemy Vessels shall make Enemy Goods; insomuch that whatever shall be found in the vessels of an Enemy shall be confiscated without distinction; except such Goods and Merchandize as were put on board such Vessel before the Declaration of War, or within six Months after it, which shall be free." In article XIII. the Prussian treaty enlarged upon the draft submitted to Thulemeier, and the Austrian draft contains this further addition: "Nor shall any such Articles be subject to be taken or delayed in any case, if they be not in greater quantity than may be necessary for the use of the ship or of the Persons in it. And to remove all doubt respecting the Merchandize and Effects which shall be subject to the Arrangements in this Article, it is declared that they are the following, Canons (etc., as enumerated in the Articles of the armed Neutrality)." Article XX. of the Austrian project adds this clause: "unless bound thereto by some treaty now existing". Finally article XXI. omits from section 4 of the treaty the clause, "but by the judicature of the place into which the prize shall have been conducted".

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<sup>57</sup> See *Dipl. Corr. U. S. A.*, I. 520, and *cf. ante*, p. 584.

## REVIEWS OF BOOKS

### GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

*Expansion of Races.* By CHARLES EDWARD WOODRUFF, A.M., M.D. (New York: Rebman Company. Pp. xi, 405.)

TEN years ago sociological studies were written around the theory that traits acquired within the lifetime of the individual by education and environment could be passed into the germ-plasm and consequently inherited. It is encouraging to-day to find books like the present written around modern biological beliefs—pure inheritance of variations arising within the germ-plasm; repetition of types from one generation to another as long as the environment remains unchanged; adaptation the prime necessity; and natural selection the great deciding force, the last court of appeal. Dr. Woodruff's central position is strong. The same may be said of the three main theories which run through his work, that there is a universal tendency to supersaturation of population, that the "Aryan" is very superior to the "Non-Aryan" in natural ability, and that the white man is not at all suited to life in the tropics. The opening chapters give cumulative evidence that overpopulation is a universal phenomenon in human as well as in animal life, in the past as well as in the present, in the savage as well as in the civilized state. This does not, to the reviewer, appear to lead to an explanation why some races have migrated more than others, for the very reason of its universality. These opening chapters are valuable, however, for calling attention vividly by means of a wealth of illustration to the folly of much of the misguided charity of the present day, which only makes the problem harder for the next generation. The sooner we face these facts the better it will be for all concerned. Eugenics is the only solution.

Dr. Woodruff's superior man is always an "Aryan". He derives him not from Asia but from the northwestern part of Europe just south of the retreating ice-cap, essentially a Scandinavian man. He dispels the theory of Asiatic origin with too little discussion, and almost ignores the anthropological sceptics who deny the entire existence of an "Aryan" race. Nevertheless, there certainly is to-day a clearly defined type of man, tall, light-haired, blue-eyed, and energetic, and this appears to be what Dr. Woodruff is writing about. He believes this man migrated southward as a conqueror into southern Europe, southern Asia, and even Africa, and degenerated under the tropical sun. Before the degeneration set in he built the great Oriental civilizations; made Greece and Rome what they were; wrote the Vedas; and penetrated even as far as China and Japan. This is a plausible and interesting theory, but it is equally possible to derive the Oriental overlords, the great

Pharaohs, aristocrats, and conquerors from the southern people themselves. The essential distinction would be that Dr. Woodruff's theory makes the aristocrat come fully formed as such and begin to degenerate as soon as he reaches his southern home, while the contrary theory would take into account all the forces which are constantly at work towards differentiating man from man within a homogeneous group where wealth is easily obtained. These forces of natural selection, of which marriage selection is perhaps the strongest, tend of themselves to increase with an accelerating ratio the superior end of the social scale at the expense of the inferior. This combined with heredity of talent makes men differ more and more in natural ability wherever there is surplus wealth, family life, legitimacy of descent, marriage selection of the sons of the successful with heiresses, the daughters of the successful.

Thus the northern men may have arrived in the fertile valleys already superior to the existing races whom they conquered but still comparatively homogeneous and undifferentiated and not containing within their ranks any of the great intellectual variations which they afterwards evolved. There may have been intellectual evolution as well as degeneration entirely within the hotter zones. Dr. Woodruff's theories stimulate further historical inquiries. In fact the whole book is more often stimulating and suggestive than conclusive, a fault perhaps inseparably associated with the method of collecting and marshalling researches and opinions in support of a thesis without the aid of any objective or impersonal check to guard against the personal equation. The reviewer believes the main contentions of this book are sound because the biological laws on which it is based have been so scientifically established that the conclusions logically follow. The facts of history have been but little and but recently treated scientifically in their applications to the broad problems of the rise and decay of nations. For this reason as soon as the historical records are appealed to there is usually no way of establishing a proof.

Dozens of questions are suggested in this interesting book the answers to which await the further development of this very field of inquiry which unites the knowledge of biology with that of history.

FREDERICK ADAMS WOODS.

*Greek Athletic Sports and Festivals.* By E. NORMAN GARDINER, M.A. (London: Macmillan and Company. 1910. Pp. xxiii, 533.)

In view of the revival of the Olympic games and in considering the discussion which is raging now-a-days about the place of physical culture in education, it is well to turn to the Greeks, who succeeded, for a time at least, in reconciling the demands of body and mind, and see what the spirit of their sports was. From Gardiner's book the general reader cannot fail to learn much about these questions; and although most of the new material has already appeared in the *Journal of Hellenic Studies*,



the specialist also welcomes the book as the only scientific work on the subject in English. Jüthner's invaluable edition of Philostratus, *Ueber Gymnastik*, is also a new book in this field and it is a sign of the value of these two works that they agree so closely. Gardiner, however, rightly differs in believing that professionalism did not exist till the latter half of the fifth century B. C. and that Xenophanes's protest is only against over-athleticism.

The first part gives a history of Greek athletics and festivals from the earliest times to 393 A. D. The second and more technical part deals with the stadium, foot-race, jump and halteres, throwing the discus, the javelin, the pentathlon, wrestling, boxing, the pankration, hippodrome, gymnasium, and palaestra. Here are given facts about the latest excavations in the gymnasiums of Delphi, Priene, Ephesus, and Pergamum, though no mention is made of that found by the Americans at Eretria. In the excellent bibliography which is appended, antiquated editions are sometimes cited and some important titles such as Schneider's *Die Griechische Gymnasien und Palästren* and Van Esveld's *De Balneis Lavationibusque Graecorum* are missing. The reference to Robinson (p. 517) should be to the *American Journal of Archaeology*.

There are several minor errors to mar perfect accuracy, especially in accents of Greek words.<sup>1</sup> Page 53, there are not many pillars of the Heraeum standing and the altar of Zeus we now know to be only two prehistoric houses. Page 111, note 3, Sundwall refutes Keramopoulos in the *Journal International d'Archéologie Numismatique* (1908), pp. 233 ff. Page 119, Paeonius was not an Athenian but from Mende in Thrace. Page 124, for Cleiton-Polycleitus cf. Westermann, *Classical Review* (1905), pp. 323 ff. Page 225, the temple of Nemea dates much later than fifth century B. C. and has more left than three columns. Page 242 needs to be revised in view of Brauchitsch's monograph on Panathenaic vases and of the *American Journal of Archaeology*, XIV. 422 ff. Asteius (373-372 B. C.) is the earliest archon's name on Panathenaic vases. Kosmetes does not occur, since we must read with Wilhelm (*Beiträge*, p. 82) ταμειόντος, not κοσμητεύντος. This fragment is painted and belongs to the last third of the third century B. C., refuting the statement (p. 244) that "the painted vases come to a sudden close at the end of the fourth century." Besides Sikelos and Kittos, we have Chachrylion as vase painter on a Panathenaic vase in Florence. Page 280, read Nicocrates for Niceratus; page 479, Kircher for Kirchner; page 483, κέλων. The other misprints are easily corrected. Page 357, there is a Panathenaic vase with similar subject in Berlin. Page 472, r. f. vases begin before 520 and last longer than 440. Page 482, Andocides flourished 540 or 525 B. C.

In a word, although there are several statements which one might

<sup>1</sup> Pp. 9 *bis*, 533, ταυροκαθάψια for ταυροκαθάψια; pp. 71, 531, ἀποβατής for ἀποβάτης; pp. 130 *bis*, 532, ιδιωτής for ιδιώτης; pp. 368, 533, τριάκτηρ for τριακτήρ; pp. 403, 532, μείλιχαι for μιλίχαι; p. 483, ξυστόν for ξυστός; p. 485, ὀπλόμαχοι for ὀπλομάχοι; p. 532, λευκῶμα for λεύκωμα, ξυσταρχής for ξυστάρχης; p. 533, τριάγμος for τριαγμός.

dispute, of which the limits of this review prevent mention, Gardiner's book marks a great advance in our knowledge of Greek athletics and scholars will now turn to Gardiner and Jüthner and no longer to Krause.

DAVID M. ROBINSON.

*The Influence of Wealth in Imperial Rome.* By WILLIAM STEARNS DAVIS, Professor of Ancient History, University of Minnesota. (New York: The Macmillan Company. 1910. Pp. xi, 340.)

THE absence of foot-notes and the intention avowed in the preface of Professor Davis's book set the lines which a fair-minded review must follow. It is designed as a popular treatment of the power of money in the Roman Empire. It contains a mass of material gathered, evidently through years of diligent labor, from the standard secondary works in German, French, and English, as well as from ancient literature and inscriptions both Greek and Latin. The style is graceful and will no doubt appeal to the general public.

After a brief and dramatic account of the panic at Rome in 33 B. C., the author treats the following large topics in as many chapters: Political Corruption and High Finance; Commerce, Trade and the Accumulation of Wealth; Expenditure of Wealth; Slaves, Freedmen and Plebeians; Marriage, Divorce and Childlessness; Some Reasons Why the Roman Empire Fell. Professor Davis is undoubtedly at his best in the strictly narrative portions of his book. The pages of chapters III. and IV. upon banking, oversea commerce, land travel, debtors and spendthrifts, and like topics make interesting and profitable reading. Sometimes, however, the impression is vague, as though the writer had not hammered at his material until the many details were jostled each into its proper niche. A more strictly chronological arrangement would sometimes have made the development clearer. Since the book is not a "critical compendium for the advanced student" the impression should be clearly incised. Confusion, however, is apparent in the topic upon the plundering of the provinces (pp. 16 ff.). First comes the generalization that the attitude towards the provinces, starting with the incorporation of Sicily, was one of ruthless exploitation. A maxim of the Emperor Tiberius follows this, then a mention of Varus and his venality in Syria. The next paragraph deals with legislation of the years 198-149 B. C., to meet the increasing greed of the governors. The paragraph which follows gives a more connected survey from the Diadochi to the Agrippas in Palestine. The movement is too kaleidoscopic. On page 147 the reader is at one moment settling barbarians on the imperial domains with Marcus Aurelius, at the next discussing plebiscita of 218 B. C.

In general, however, the author and the book deserve praise for their good qualities in narration. The same cannot be said of the interpretation of the assembled data. The point of view expressed in the title of the book seems to be its bane. The very massing of the material from this standpoint results in a massing of dark pigment upon a gloomy

canvas. The general color-scheme cannot be relieved successfully by the occasional blotches of light contributed by such discussions as that of the "benefactions of the rich" or "happier marriages". The moralistic rather than the economic attitude is the prevailing one. The total impression, a false one, in the judgment of the reviewer, although it is the traditional one, is conveyed in the last paragraph of the book. The Roman Empire "taught its prosaic commercialism to all its provinces. . . . Its citizens served Mammon in the place of God with more than usual consistency. The power they worshipped carried them a certain way—then delivered them over to their own rottenness and to the resistless enemy." In fact the title of the book is a misnomer. For there are many topics such as those upon the education of the lower classes and upon the Roman guilds (pp. 228–229 ff.) which have little connection with the subject indicated by the title.

Should not the organized commercialism of the empire be handled, not as something black and wrong, but as the necessary economic basis for the myriad activities of that great empire? A thorough assimilation of Eduard Meyer's point of view in his sketch of the *Wirtschaftliche Entwicklung des Altertums* would have modified Professor Davis's views upon the "social stigma" attaching to manual labor, which is an idea set by ancient academic treatises. The work of Gummerus in the fifth supplement of *Klio* leads to the conclusion that it was exactly the small farmer, at least in Italy, who was *not* "almost economically independent".

The last chapter—Some Reasons Why the Roman Empire Fell—is the weakest portion of the work. One cannot seriously consider the deaths in gladiatorial combats as an appreciable drain upon the population of the empire (p. 327). It is futile to blame the ancients because they did not make physical inventions, and confound the barbarians "by learning how to combine sulphur, nitre and charcoal". The author's weakness in interpretation of economic material and grasp of economic problems is most apparent in this chapter. Had Professor Davis confined himself to the lesser task of a series of pictures out of the economic and social life of the empire, the weakness would not have been so fundamental.

W. L. WESTERMANN.

*The Roman Empire: Essays on the Constitutional History from the Accession of Domitian (81 A. D.) to the Retirement of Nicephorus III. (1081 A. D.).* By F. W. BUSSELL, Fellow and Tutor of Brasenose College, Oxford, Rector of Sizeland. Volumes I. and II. (London and New York: Longmans, Green, and Company. 1910. Pp. xiv, 402; xxiii, 521.)

"THE purpose of the following essays, written for the use of the general reader and modern politician, is to add a modest contribution

to the interpretation of the imperial system." In the author's opinion the study of history is "a remedy against the hasty opportunism of amateurs who know only the surface of their own age and none of the hidden causes that have produced it". Those who limit themselves to recent times operate in too narrow a field to be able to discover its general characteristics and tendencies; and it is mere folly to imagine that in the past half-century the world has so improved as to be able to derive no instruction from the study of the Roman Empire. In fact, he continues, remarkably striking parallels can be drawn between the political and social conditions of the world to-day and those of the earlier centuries of our era; and the comparisons do not always redound to the glory of the present. From the author's point of view the principate came into being because the people did not want to govern themselves. The *princeps* did not construct the imperial system irresponsibly but as a representative of the popular will, silently though none the less forcibly expressed. His rule was pacific and parental. He was never "intimidated into the enormity of class legislation", and under him the interests of the people were better protected, Mr. Bussell declares, than they are now under a party government, whose perpetual condition is civil discord and alternate injustice. The growth of absolutism answered to a popular demand. The emperors did not encroach but were invoked. The provinces made no attempt to escape the yoke but regretted the protection when it was withdrawn.

The author's sympathies are all with the *princeps* in his conflict with the senate, in the gradual creation of a centralized monarchy. Domitian systematically followed this policy. Diocletian, embodying in the constitution the tendencies of the previous century of revolution, abolished the idea of delegation and responsibility, and substituted in their stead the sacrosanctity of the monarch and the principle that "the king never dies and can do no wrong." Constantine added the hereditary principle. Thus these emperors created the absolutism of the modern type.

The causes of decline were principally pestilence, the curial system, and slavery. The universal lapse of interest in municipal affairs compelled the emperor to undertake the local administration through a bureaucracy, which he was unable to control. It is the present custom, the author remarks, to denounce the bureaucracy and the excessive taxation of the late empire. But while taking this attitude we should not overlook the fact that the whole tendency of modern states is in these same directions. If many emperors benevolently strove to better the condition of the people by interference in municipal affairs and in the discouragement of local and personal initiative, no different is the aim of present socialism.

Somewhat against his will the author finally admits that Caesarism, though incomparably superior to the modern Parliamentary system, and a potential refuge from the dangerous equilibrium of modern democracy, is not an ideal form of government. Representative and laudable as it



is, "Caesarism, like modern socialism, denies maturity and freedom, and is at once a cause and symptom of decay."

Enough has been said to indicate the spirit and method of the work. It contains more political theory than real history. The author's bias is pronounced and his subjectivity extreme. But he fully appreciates the tentative character of such treatment. The style, thrown off from a warm imagination, has a magnificent sweep, though it is sometimes obscure. Few "politicians" in America will read the work; and of those persons who actually attempt it, many will doubtless be amazed at the author's wholesale arraignment of modern government and society. It is safe to say that his conclusions will not find wide acceptance; yet the amount of truth in his comparison between the Roman world and the present is enough to set the reader a-thinking.

GEORGE WILLIS BOTSFORD.

#### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Deutsche Geschichte.* Von DIETRICH SCHÄFER. Erster Band: *Mittelalter*. Zweiter Band: *Neuzeit*. (Jena: Gustav Fischer. 1910. Pp. ix, 469; x, 505.)

IN spite of one or two shortcomings with which we shall deal presently this is by far the most important work covering German history in short compass that has yet seen the light. With a sure hand Schäfer traces the political and religious development of the nation from the earliest times down to the actual present, going into all the ramifications, recoiling before no difficulty, and neglecting no one period. He is independent in his judgments, is always moderate and dispassionate, and gives the interrelation of events in a way that will earn the gratitude of all who seriously busy themselves with the subject. The book is not for beginners and would scarcely be of service to those who have not enjoyed at least the historical training afforded by the German schools.

It is a *tour de force* to crowd the history of eighteen hundred and more years into half that number of pages and no two writers would solve the problem in the same way. Schäfer economizes space by conciseness of style and also by almost entirely eliminating military history. For instance he disposes of the six great battles of the fall of 1813 in thirteen lines and does not even mention by name the battles fought in France in 1814. In this neglect of military details he goes at times too far, as when he fails to mention the defection of the Saxon troops in the midst of the battle of Leipzig, although to that defection French historians ascribe the defeat that drove Napoleon out of Germany. Schäfer is equally Spartan in his neglect of dramatic incidents, referring only casually to the famous throwing out of window that was the beginning of the Thirty Years' War and to the death of Wallenstein.

There are other omissions that will strike many as less pardonable—omissions, indeed, which the author defends in his preface. Economic

history and what we usually call the history of civilization find little place in the book. History is no "struggle for a feeding-place", Schäfer declares. And again: "The author is of the opinion that as far as regards the solving the great questions which have determined the development of our nation and its relations to humanity it is indifferent whether men fought with spear or repeating-rifle, in chain-armor or in uniform; whether they spoke or wrote in gown or in dress-suit, warmed themselves at hearths or at radiators, lived on pork and beans or had their meals prepared by a French cook."

All the same the "struggle for a feeding-place" determined largely the movements of the early tribes and even those of the mediæval emperors who had, as Nitzsch puts it, to "graze up their domains" every year because the supplies on which the court subsisted were furnished in kind and not in money. In consequence of Schäfer's attitude we learn quite incidentally at the end of the first volume that Germany has grown rich and prosperous. There is no mention of the trade relations between the Romans and Germans, none of the influence exerted by the Crusades both on German commerce and on German civilization. The Black Death of 1348 is mentioned merely as a horrible happening, and no effort is made to get at the underlying causes of the social unrest at the time of the Reformation.

Where Schäfer excels is in the treatment of religious matters. The organization of the German church by Boniface and the whole question of the struggle between the Empire and the papacy for the right of investiture are dealt with in a masterly manner. It is the same with the relations with the Church before, during, and after the Reformation, and again at the time of the Kulturkampf and of the rise of the Centre party.

A special word must be said for the brilliant chapter on the modern German Empire dealing with all the great problems that have confronted the Reichstag since 1871: the relations with Austria, Russia, and England; the colonial policy; the Chinese war; the growth of social democracy. Schäfer does not refrain from criticism even of those in high places but is never violent or partizan.

It would be a thankless task to attempt to pick flaws here and there in a work so broadly conceived and so carefully executed. The reviewer would merely say that he considers Frederick the Great too leniently handled. Prussia may have had old claims to Brieg, Liegnitz, and Glogau, but there is no evidence to prove that those claims had been so much as mentioned to Austria during the previous half-century. The sudden descent on Silesia and the claiming and holding of that entire province must always seem to an impartial observer an act of unpardonable aggression. Frederick's recently published despatches concerning the partition of Poland, too, show that he and not Catherine was the real instigator of the partition and weaken Schäfer's contention that the anarchy in Poland rendered Prussia's interference a necessity. The

anarchy itself was largely of Frederick's making, and we have his directions to his envoys to give it encouragement and secretly oppose all reforms. In all probability it was at Frederick's suggestion that Austria seized on Zips and precipitated the partition. We know that at the very moment of the seizure Russia was greatly alarmed at the frequency with which envoys passed between Berlin and Vienna and that it was common talk in St. Petersburg that the two courts concerted all their measures in common.

ERNEST F. HENDERSON.

*The Scottish Staple in the Netherlands: an Account of the Trade Relations between Scotland and the Low Countries from 1292 till 1676, with a Calendar of Illustrative Documents.* By MATTHIJS ROOSEBOOM, M.A., D.Litt. (The Hague: Martinus Nijhoff. 1910. Pp. xiv, 237, ccxvi.)

THAT interest in the economic history of Scotland has been greatly stimulated in recent years is amply shown by the appearance, within a year of each other, of two works on the Scottish Staple. The first, a volume of 453 pages, by Davidson and Gray, has been already noticed in this journal (XV. 122-124). The volume before us, therefore, naturally arouses a query as to the value of a second study of the subject at this time. To this Mr. Rooseboom replies by announcing a work radically different both as to method and content. His volume is narrower in scope and more intensive in its treatment, and affords an account of the external vicissitudes of the Scottish Staple which, in point of accuracy and thoroughness of research, easily surpasses any other treatment of the subject. Every move in the relation of the Staple trade with the Low Countries is traced with commendable patience and care by means of documents in a dozen archives, and considerable new light is thrown on the subject.

Thus the interesting petition of the middle of the fourteenth century to Bruges and the city's detailed reply (p. 7, and app. 8 and 9) affords us a starting-point of considerably earlier date than we have had heretofore. A keen critical analysis (pp. 28 ff.) of Haliburton's *Ledger* and of the Dutch chroniclers satisfactorily establishes the view that, instead of the Staple being located at Bruges from 1483 to 1494, it was not fixed at all; that conditions were unsettled even to 1522, trade "fluctuating between Middelburg, Veere, and Bruges", and that the final settlement of the Staple at Veere did not occur until 1541 (p. 65). But, in spite of the many instances where the sources are well worked out, there is at times a plethora of raw material in the text, all of which and much more is again found in the 177 documents of the appendix. Among these, however, are scarcely any emanating from the Staple organization itself. As in the case of the Merchant Adventurers, little is extant.

But this is, from the standpoint of Mr. Rooseboom, not so serious,

for he concerns himself almost exclusively with the external side of the Staple history. The accidental circumstances of its external relations, usually of a purely diplomatic nature, are chronicled in great detail, while very little effort is made to bring out its internal organization and functions, or to articulate its development with the broader economic conditions of the period. This same tendency is seen in the fact that virtually no use is made of parallel developments in England and on the Continent. The English Staple, the Merchant Adventurers, the Hanseatic League, Dutch and even Prussian commercial politics, afford striking points of comparison and contrast with the Scottish institution that would have been very illuminating. Indeed, a little more play of that historical imagination which the author thrusts aside so unkindly in his introductory paragraph, would have added much even to the scholarly value of the work. Incidentally, it may also be noted that the titles in the bibliography appear without date or place of publication, that the view of Veere is of a period later than that of the text, and that occasional misprints like 1687 for 1587 (p. 107) occur.

But, notwithstanding these criticisms, Mr. Rooseboom is to be congratulated, not only for his thorough and patient researches, but also for his distinct contribution to the history of the subject. It is a pleasure also to note that, instead of duplicating in a large measure the work of his predecessors, he has rather strengthened and supplemented it, especially where the Dutch archives were of service to correct or expand the account by Yair.

WILLIAM E. LINGELBACH.

*The High Court of Parliament and its Supremacy: an Historical Essay on the Boundaries between Legislation and Adjudication in England.* By CHARLES HOWARD MCILWAIN, Thomas Brackett Reed Professor of History and Political Science in Bowdoin College. (New Haven: Yale University Press. 1910. Pp. xix, 409.)

PROBABLY no theme has been written upon more extensively than that of the English Parliament, and yet there are many phases of its history which remain for further investigation and treatment. The present work is a study of Parliament in the light of recent political science, and centres upon the evolution of judicial and legislative functions. In the beginning there was no distinct power of legislation, for the Middle Ages rested upon the fundamental conception that the law should be applied as occasion required, but that it was not to be seriously changed. Without distinctions which to us are "as clear as sunlight", there was at first but one function of government, which was still in the future to be differentiated and defined. Parliament was in fact a court, which differed from other courts only as it was a higher power and interpreted the law with greater latitude. So the early statutes are found to be



mainly of an interpretative or judicial character, while the growth of a legislative power came gradually and with little consciousness of a great transition.

In these statements no claim to originality is made, for the same views are current among various writers of the school of Maitland. It may indeed be considered no longer necessary to argue that in the time of Magna Charta the state was predominantly feudal, and that the national character of early institutions was exaggerated by Freeman. But from these premises the author carries his argument forward into modern times, where the subject has not before been so satisfactorily treated. No doubt the chapters which will be found most valuable are those dealing with the Tudor and Stuart periods, wherein a wide knowledge of the legal and political literature of the time is shown. It was then that the separation of functions began fairly to operate, until by stress of the Puritan Revolution the former judicial supremacy of Parliament was converted into a legislative supremacy. Still both judges and members of Parliament continued to labor under much confusion of thought, while to this day many forms survive in legislatures and courts which can be understood only by reference to the original conceptions of the Middle Ages. What is still more strange, a certain duality of authority is found to persist in the American courts, which continue some of the practices of the seventeenth and eighteenth centuries more extensively than the English courts themselves. Montesquieu's theory of the separation of powers has in fact never been completely carried out.

A point of detail open to criticism is found in regard to the position of the judges in Parliament (pp. 31-37). It seems unnecessary to argue that at first they were of "equal right" with the lords, and that later they became "merely advisers". It is not likely that any two of the estates or groups in Parliament were on the same footing. Sometimes, it is true, the judges are mentioned in the same manner as the lords, while at other times they are spoken of differently (see *Eng. Hist. Rev.*, XXIII. 3-5). In the Council, it is clear, one might be a member "for law cases and not otherwise", and the same thing was probably true of Parliament. Moreover, it is hardly correct to say that in the Council the judges came merely to give their advice "and the nobles followed it or not as they wished". There was in fact already in the fourteenth century somewhat more perception of the difference between legislative and judicial action than the author allows. It may be added that a work which cites so large an array of authorities should present also a complete bibliography.

JAMES F. BALDWIN.

*The Servian People, their Past Glory and their Destiny.* By Prince LAZAROVICH-HREBELIANOVICH, with the Collaboration of Princess LAZAROVICH-HREBELIANOVICH (ELEANOR CALHOUN). In two volumes. (New York: Charles Scribner's Sons. 1910. Pp. xvi, 742.)

ONE naturally welcomes the appearance of a book that attempts for the first time to present to English readers all sides of Servian life in both past and present. The first volume of this work takes up the geographical features of the lands inhabited by Serbs, economic, social, and religious conditions to-day, and the history of Servian institutions, civilization, literature, and art. The second volume deals with political history.

The execution of the work is less happy than the conception. The arrangement adopted, especially the separation of institutional from political history, involves a great deal of repetition. While the chapter on literature is hardly more than a wearisome catalogue of names, other parts of the book contain rather superfluous matter; one could especially dispense very well with the diffuse surveys of the history of Europe, Asia, and even America, which are scattered through the second volume.

The authors have in general utilized the latest researches of Servian scholars and avoided many of the errors common in Western works. They have, however, been distressingly careless. We are told, for example, on page 437 that "the Servian Ruler, Stephan Nemanya, at the head of a Servian army, finally freed Bulgaria from Byzantine sway", while on page 453 we learn that Nemanya aided the Bulgarians "in every way except by taking the field, which was precluded to him by the situation which arose". Then various doubtful or quite exploded theories are set forth with a great air of assurance; for instance the by no means commonly accepted theories of M. Zaborowski that the Slavs were autochthonous in the Balkan peninsula (pp. 3 ff.). Later we learn that the Slavs, having once got out of the Balkans, began to drift back there even before the Christian era from their seats on the Volga (p. 177)! The derivation of the word *Srb* (Servian) from *Sabor* (pp. 5 and 6) cannot possibly hold water. The statement that the Emperor Justinian was a Slav rests on evidence that has lost all weight since the researches of Bury (p. 430).

But what chiefly mars the book is the tendency to magnify the Servians at the expense of their neighbors and of historic truth, to gloss over the more unpleasant parts of the story, to accept views, however dubious and unsubstantiated, that reflect credit upon the nation, to assert continually the superiority of the Servians in one respect or another to all other peoples. The whole book is one long panegyric in an exalted tone that finally grows irritating. This tendency comes out in such statements as that no "war of greed or gain was ever undertaken by the Serb race" (p. 15), that the foundation of the monastery school of

Manassia was an anticipation by two hundred years of the French Academy (p. 366), that between 1450 and 1700 "all of the greater Turkish Grand Vizirs . . . were of the Serb race" (p. 367. The Kiuprilis, perhaps?). The tendency is most apparent, however, in the account of the great age of the Nemanids. It seems to the present reviewer that the book gives a quite perverted view of the state and society of this age, owing to the attempt to make Serbia out a "constitutional monarchy" resting on fundamentally democratic principles, when it is as clear as day that the state was aristocratic to the core, that its so-called "parliaments" were nothing but assemblies of nobles and clergy corresponding to the Magnum Concilium of Western kings, and that the cardinal weakness of this state lay in the concentration of political power and privilege in the hands of the nobility and the extreme degradation of the lower classes. The authors are absolutely wrong in declaring that for such crimes as murder, robbery, theft, etc., nobles and commoners were punished exactly alike; they omit the prime characteristic of the status of the so-called *Meropahs*, namely that this class was bound to the soil; and in regard to the lowest class of bondmen called *Otroki*, it is hardly fair to add to article XLIV. of Dušan's Code the statement, which is not found there, that these people could not be sold (p. 264). The authors are at particular pains to repeat frequently that "there is no document to show any trace of slavery, or that there ever existed in medieval Serbia any class of human beings treated as chattels to be bought and sold." Their *pièce de resistance* here is article XXI. of Dušan's Code which provides, they say, that "Whoever sells a Christian shall lose his hand and have his nose slit" (p. 267). It is curious that they have overlooked the most important part of this article, which is really directed only against those who sell Christians to *infidels*. Space forbids adducing further examples of this kind of procedure.

Finally, one is inclined to protest at the extraordinary liberties taken with proper names; so, for instance, we meet the Emperors "Mavrikios", "Manoilo", and "Yoannis V.", the apostle "Method", "Khenghis-Khan", etc. (pp. 266, 447, 480, 342, and 429).

With all its defects the book will be useful if it arouses a wider interest in a heroic and unfortunate nation, and especially if it calls the attention of Western scholars to that curious medieval Serbia, which, with its Byzantinized court, administration, and church, and its semi-feudal aristocracy, annual diets, local self-government, jury system, etc., offers so unique an amalgam of Eastern and Western institutions.

R. H. LORD.

*The Political History of England.* Edited by WILLIAM HUNT, D.Litt., and REGINALD L. POOLE, M.A., LL.D. Volume VI. *The History of England from the Accession of Edward VI. to the Death of Elizabeth (1547-1603).* By A. F. POLLARD, M.A., Fellow of All Souls College, Oxford, Professor of English His-

tory in the University of London. (London: Longmans, Green, and Company. 1910. Pp. xxv, 524.)

THE appearance of the present volume marks the completion of Messrs. Hunt and Poole's *Political History of England* which began to see the light some half a dozen years ago. The comparative tardiness of this last installment is not the fault of the author, for the field was originally offered to another scholar, accepted, and after a long interval declined by him on account of the pressure of other work; so that Professor Pollard was not able to get started on his book until after most of the other volumes of the series had already been put forth. Considering the disadvantages under which he has labored, he has produced an excellent piece of work. Though a recognized master of the entire Tudor period, the earlier rather than the later half of it has been his special *métier* hitherto. But all the admirable qualities which have characterized his monographs on the Henrician and Edwardian periods are fully displayed in the present book as well—wide and accurate learning, sound political judgment, richness of quotation from the sources, and unusual vigor and freshness of style.

Of the 480 pages which form the main part of the work, 93 deal with the reign of Edward VI., 82 with that of Mary, and 305 with that of Elizabeth. The verdicts on Somerset and Northumberland which the author expressed in his first important book ten years ago are but slightly altered here; but one does not feel, as one did before, that the Protector is being exalted by the abasement of the duke. The comparison of Northumberland to Maurice of Saxony has been made before, but is worth repeating. Professor Pollard's sympathy with the Protestant cause does not blind him to the tragedy of the life of Queen Mary, who is rightly described as "the most honest of Tudor rulers", who "so far as she could kept her court and government uncorrupt", "tried to help the poor" and "was compassionate except when her creed was concerned". He steers an admirably straight course between the Scylla of John Foxe and the Charybdis of Miss J. M. Stone.

It is safe to conjecture that the author has been seriously hampered in his treatment of the period of Elizabeth by the regulations and limitations of the series to which his book belongs. These demand that he confine himself chiefly to narrative and political history, a fact which those who are disposed to quarrel with his presentation of the reign of the last Tudor will do well to bear in mind. No two scholars will ever see the Elizabethan period from the same angle or in the same way; but all who have dealt with it will readily admit the many-sidedness of its interest, and no account of it which fails to take cognizance of this primarily important characteristic will ever attain universal approval. Professor Pollard has been estopped from doing this, and the latter part of his book necessarily suffers in consequence. Up to 1588, when foreign diplomacy and domestic intrigue occupy the centre of the stage, the defect is not serious; but the treatment of the last fifteen years of



the reign, when religious, social, literary, and economic currents blend and cross in inextricable confusion, is far less satisfying. There is much more to be told (and we feel certain that Professor Pollard could have told it well, and would have enjoyed telling it, had space permitted him) before the picture can be regarded as complete. Even the high standard of the narrative history is not quite maintained at the end. It is perhaps graceless to complain of a book because of what it leaves out, but it is difficult to justify the absence of such names as Valentine Dale and Alberico Gentile from a book which is so full of international politics as is this, and the omission of the latter is particularly inexplicable in the work of a Fellow of All Souls.

As is the case with everything else that he has produced, the latest work of Professor Pollard is remarkable for accuracy of detail. One amusing misprint occurs on page 391—Waldorf instead of Waldburg for the apostate Archbishop of Cologne; to American minds at least it will be vividly suggestive of the boundless opulence resulting from conversion to Protestantism and the accompanying practice of secularization. The bibliography is not at all points worthy of the standard set by the rest of the work; as was the case with the curate's egg—"Parts of it are very good." It is difficult to resist the conclusion that those which are not, were the work of a less experienced scholar than Professor Pollard. The inclusion of Stanihurst's *De Rebus in Hibernia Gestis*, which stops with the reign of John Lackland, is a case in point.

We cannot take leave of this excellent volume without expressing our admiration of the series of which it forms a part. Necessarily uneven, as all collaborate enterprises are, it has never failed to be adequate, and at its best is absolutely first-rate. Authors and editors are to be congratulated on the successful completion of their work.

ROGER BIGELOW MERRIMAN.

*Seven Great Statesmen in the Warfare of Humanity with Unreason.*

By ANDREW DICKSON WHITE, LL.D., L.H.D., Ph.D., D.C.L.,  
late President and Professor of History at Cornell University.  
(New York: The Century Company. 1910. Pp. xi, 552.)

THE first president of the American Historical Association has given in this volume a new proof of his wide and scholarly interest and of his powers of vigorous historical exposition. Seven great men in the history of human thought and action—Sarpi, Grotius, Thomasius, Turgot, Stein, Cavour, and Bismarck—are singled out by Dr. White who believes with Carlyle that such men are the real makers of history. Certainly when it concerns "the warfare of humanity with unreason" the mob, the *Janhagel*, appears as embodied unreason, a stumbling Cyclops whose one eye sees but dimly the leader's footprints.

Taken as a whole this volume is a valuable addition to the literature in English on continental European history. Each essay is more than a

summary of the subject's biography. It is an estimate of his significance to universal history from the standpoint indicated in the title. If any chapters are to be singled out for special commendation, they should be the first three and more especially the studies of Sarpi and Thomasius. Here we have two essays which are the best thing in any language within the same compass on two great leaders who await the tardy justice of adequate biographies. Indeed Dr. White's essays on these men and on Grotius are clearly the fruits of long interest and of studies that would have qualified him beyond any other English-speaking scholar to write such biographies. Not only has he compressed great learning into single chapters on these three but the author's sympathetic spirit has reached the hand of fellowship across the centuries. So vital is the presentation that the reader feels that if living to-day this trio would found universities, attend Hague conferences, and write new volumes of the *Warfare of Science with Theology*. The men whom Dr. White has selected had a message so profound that it speaks the language of generations to come and new significance is given to Schmoller's dictum that "the broadest efficiency of great men begins after their death."

I cannot, even in this brief review, bring myself to pass on without an expression of gratitude for such a worthy introduction as Dr. White has given Thomasius to students and readers who have not especially concerned themselves with German history in the eighteenth century. Great as are his services in the warfare against superstition, in the history of journalism and its relations to the formation of public opinion, in the development of better university teaching and nobler academic ideals, Thomasius, standing between Leibnitz and Kant, has been too much obscured. Where they only thought and theorized, he acted, for what he thought had hands and feet. Frederick the Great said of him that if old women in Germany could die in peace they owed it to Thomasius. Dr. White has shown not only his place in the warfare against the last remnants of the belief in witchcraft but his wider significance in the struggle against the theological and academic narrowness of Germany in the first half of the eighteenth century.

The first three essays justify the title of the book. Those on Turgot and Stein are excellent surveys, prepared, it would seem, on the basis of the author's earlier studies in the period in which his teaching interested him. Both men are significant but neither dominated his age nor can their relation to the present be as yet fully revealed.

The names of Cavour and Bismarck are so distinctly connected with our own age and political interests that it will take a longer perspective than we yet have to see how they fall in line with Sarpi, Grotius, and Thomasius. These essays are, however, excellent summaries. The one hundred and twenty-five pages on Bismarck deserve a place among the brief biographies of the founder of the German Empire.

As is natural for one who starts with Carlyle's view of the hero's place in history, Dr. White makes short shrift of the men who did not embody a great idea or dominate an age. In each or every essay the

qualified reader will find occasion for dissent and on every page stimulation and suggestion.—The author's commendable restraint in the use of foot-notes errs on the side of two few rather than too many.

GUY STANTON FORD.

*The Constitution and Finance of English, Scottish, and Irish Joint-Stock Companies to 1720.* By WILLIAM ROBERT SCOTT, M.A., D.Phil., Litt.D., Lecturer in Political Economy in the University of St. Andrews. Volume II. *Companies for Foreign Trade, Colonization, Fishing, and Mining.* (Cambridge: University Press. 1910. Pp. x, 504.)

IN this important book Dr. Scott, profiting by his previous training in active business, has brought research, judgment, and restraint to produce a result which is now shown in simple, almost severe fashion. "Through technical reasons, connected with the printing of this book, the second volume" is unfortunately issued before the first; and this does not make it the easier for the reviewer, since volume I. "will record the general development of the joint-stock system in Great Britain and Ireland up to 1720", thus apparently dealing with a large number of varied external forces which influenced the growth of the system as a whole. Certainly volume II. will be of interest to students of American colonial history who have recently profited by the work of Professors Osgood and Andrews and Dr. Beer. But a larger field is here involved. Already the history of the regulated company has been particularly exploited by Arup through his treatment of the Levant Company in *Studier i Engelsk og Tysk Handels Historie*. Now Dr. Scott in his book on joint-stock companies becomes the special historian of the second form of modern business organization. As such his book deals in turn with companies formed for (a) foreign trade, including for example Africa, Russia, the East Indies, and Hudson Bay; (b) colonization, including, therefore, the American companies of various latitudes, the companies for plantation in Ireland, and those for colonization of lands in England reclaimed by drainage; (c) companies for the development of the fishing-trade; (d) those engaged in "extractive industries", such as mining, the smelting of iron, etc.; (e) miscellaneous companies for the recovery of sunken treasure and for the draining of mines, etc. Here clearly, therefore, is a scope which will invite many interests.

Then as to materials, taking only three illustrations and those but briefly and in part. First in the case of the Virginia Company of London we find significantly that as a student of financial operations Dr. Scott makes the following divisions: (a) the first Virginia Company to 1618; (b) the Somers Islands Company to 1618; (c) both companies, 1618-1625; and (d) the Somers Islands Company, 1625-1684. The material used includes the usual relations of voyages, selections from Alexander Brown's works, Hakluyt Society publications, Force's *Tracts*, the printed

records of the company, Lefroy, the Manchester Manuscripts, the Ferrar Papers, and here and there special additional material from the Record Office and British Museum, which, however, taken as a whole do not in the main go beyond the sources already utilized by other students of American colonial history. A similar analysis might be repeated for the East India Company, save that use has been made of some valuable tracts preserved at the British Museum and at the Bodleian which have not hitherto been utilized; a more careful search of manuscript court books has been made and some additional manuscripts at the museum have been cited. In general, additional material has been here brought forward. In the case of the fishery companies the *Calendars of State Papers* and valuable pamphlet material have supplied the chief sources. Here, therefore, as a whole is a painstaking process, marked by a few discoveries, without the addition of material which will radically alter our views as to the general history of any of the companies hitherto well known. The basis of comparison afforded, however, is of great value.

Lastly follows the distinctive method and purpose of the book which should win for it a special place in the literature of economic history. Throughout, the historian of a commercial organization is at work. The intricate and often doubtful records of buried accountants are analyzed and enlivened, to be given in almost suspiciously clear and tabular fashion as the explanation of given policies or to illustrate the conditions and results of complicated effort. To touch within the limits of this notice even one of the many detailed questions herein so often involved might be unfair. Until the first volume appears the student can well use Dr. Scott's book while he awaits the explanation of some matters which at present may perplex him. The style of the annalist does not lend itself to many digressions. Indeed the wealth of fact here compressed must have strained the patience of both writer and publishers. But the consulting student will profit by the excellent index.

ALFRED L. P. DENNIS.

*The English Factories in India, 1630-1633: a Calendar of Documents in the India Office, Bombay Record Office, etc.* By WILLIAM FOSTER. (Oxford: Clarendon Press. 1910. Pp. xl, 354.)

IN this volume a further installment of about 320 valuable documents relating to the operations and interests of the London East India Company becomes more available for students who are unable to search the manuscript records and useful to those who are. The India Office collections, including the "Original Correspondence" series supply about three-fourths of the material utilized. But a new source is drawn upon for the first time in this set of calendars, namely volume I. of the "Surat Factory Outward Letter Book", preserved at the Bombay Record Office. It is "the oldest volume of English records now extant" in India. Mr.



G. W. Forrest, the editor of *Selections from the Letters, etc., preserved in the Bombay Secretariat: Home Series*, used five of the letters in this set; but here about seventy are abstracted. Nevertheless it should be noted that the material drawn from the "Original Correspondence" series at the India Office and from the "East Indies" series at the Public Record Office, had been previously calendared by Mr. Noel Sainsbury. Here and on the whole fortunately a calendar of these documents is given on a new system "in which verbatim quotation is freely used". In general the volume preserves the high standard set by its predecessors. Obviously, however, only a few notes as to the character of the documents are here possible.

First the records are invaluable to the student of Indian economic history, for not only are the problems, methods, and activities of foreign merchants exhibited, but their relation to the productive economy of India is shown. And in this connection the influence of famine in India on the life of the people and on European commerce is gruesomely illustrated by the records of 1630. Contrary to the fancies of present-day Indian agitators famine was a grim reality centuries before Nationalist Congresses were thought of, before the British were more than mere beggars for permission to live and trade in India. Thus in 1630 from "Gujarāt to the Golconda coast the land became one vast charnel-house", till, "the country being wholly dismantled by drought" "life was offered for a loaf, but none would buy; rank was to be sold for a cake, but none cared for it"; and the "poore mechaniques", the workers of India, "perished in the feilds for want of food to sustaine them". But the famine had other and interesting results. It sent English shipping promptly and persistently to the ports of the Persian Gulf, here to find profit and to develop such interest that the correspondence of the English government at home with the Shah of Persia took on additional significance, as it has recently.

But another pregnant interest also steps forward in the seventeenth century. For from Armagaon and Masulipatām northward English factories began more closely to dot the coast of the Bay of Bengal, till later in the century they were to serve as stepping-stones to Calcutta and finally to the rich administration of Bengal itself. In this service of English expansion Richard, the son of Henry Hudson, played a more modest rôle than did his famous father in another hemisphere. But this touch again clearly illustrates the natural relationship, if not companionship, of American and Asiatic adventure to Englishmen of the early seventeenth century.

The contact with Dutch, Portuguese, Danes, and French takes on new color in these years; and indeed attempts are made to establish an *entente* with the Portuguese to provide for more friendly commercial relations and even co-operation in certain fields. Some of these and other matters are also treated in the introduction, where in addition Mr. Foster cites from the "Hague Transcripts" and from printed records of the Dutch

East India Company. Indeed did not the documents themselves invite closer attention a reviewer might easily concoct a notice of the book from the editor's lucid summaries. The next volume of documents, which will deal with a period never reached by Mr. Sainsbury's last volume of calendars, will be even more useful.

ALFRED L. P. DENNIS.

*A Calendar of the Court Minutes, etc., of the East India Company, 1640-1643.* By ETHEL BRUCE SAINSBURY, with an Introduction and Notes by WILLIAM FOSTER. (Oxford: Clarendon Press. 1909. Pp. xxx, 407.)

THE previous volume in this series was reviewed in this journal, XIII. 856. The concluding entry of December, 1639, in that volume promised the East India Company relief from rival companies and held forth the hope of other favorable prospects. The present volume which appears to be marked by the same admirable methods and sound scholarship which distinguished its predecessor, covers the period from the week when Wentworth was created Earl of Strafford to the month in which Pym died. The documents are with few exceptions calendared from the Court Book of the company. They do not give much direct information regarding the tangled political situation at home. Nevertheless the collection has certain special features; and beside supplying indispensable material for the financial history of the corporation furnishes additional facts regarding the relationship of the company to political parties and to the dominant authority whether that be crown or Parliament.

The student of American affairs will also find certain familiar names and perhaps gain an added notion of the relationship of Western planting with Eastern commerce. Thus it may not be wholly frivolous to note that Lord Say and Sele and Lord Brooke, who fostered the planting of the "Nutmeg State", were themselves interested in the spice-trade. Sir Christopher Clitheroe, the governor of the East India Company in 1640, had been at stormy meetings of the Virginia Company. It is doubtful, however, whether the clerk Fotherbie was the same who had acted as secretary to the Virginia Company and to the Commission of 1624. Indeed, indexes of several previous volumes of calendars confused Henry with his relative, Robert Fotherbie. But in this volume we find the death of Woodall, surgeon to the company, who had been interested in sending cattle to America. Moreover, the same general financial methods were involved in the "magazines" of the American companies and the "joint-stocks", which so occupied the minds of the directors of the East India Company. Again, as on certain occasions some American colonists were to dispute concerning the authority of the crown and of Parliament regarding the affairs of chartered corporations, so we find a similar question involved in the various petitions of the company to the Privy Council and to the House of Commons. Further light on the

affairs of the Long Parliament is also given by the entry of sums of money paid to various members in the endeavor to secure favorable action by Parliament. In general the company was regarded as a Royalist institution. Its artillery was in demand and it suffered at the hands of the Parliamentary party; but in truth its most serious financial difficulties arose largely from the plunderings of the gang of "grafters" who won the ear of King Charles. The story of the famous pepper bargain, however, does not apparently reflect as much discredit upon Charles as some have imagined. The documents are here published (*cf.* also Foster in *Eng. Hist. Rev.*, July, 1904).

Students will await with interest the publication of the next installment of the minutes, for that may touch on the story of Cromwell's interest in the affairs of the company. In any case the present volume is an important contribution to the history of chartered companies in the seventeenth century.

ALFRED L. P. DENNIS.

*The House of Lords during the Civil War.* By CHARLES HARDING FIRTH, M.A., Regius Professor of Modern History in the University of Oxford. (London and New York: Longmans, Green, and Company. 1910. Pp. xii, 309.)

WITH all the timeliness and far more than the weight of an ordinary political pamphlet Professor Firth's admirable monograph appeared in time to leaven the mass of election literature with its careful and scholarly historical analogies, and it is likely to be the most permanent literary result of the recent contest. It is, indeed, not wholly new, and it is modestly misnamed. A good deal of its content has already appeared in Professor Firth's previous work, and it is obvious that, though he has, of course, gone over the material himself, brought forward new evidence, and shed new light on many parts of the controversy he details, the present study owes much to Gardiner. For it is, in effect, the history not of the House of Lords during the Civil War but during the entire period from the accession of James I. through the first year of Charles II., 1603 to 1661. The first three chapters bring us to 1642, the next four to 1653, and the last chapter (ix.) is devoted wholly to the years 1660-1661. For the purposes of the present controversy in English politics, without doubt the most important parts of the volume are those covering the period between 1640 and 1649 when "every kind of expedient was tried or discussed in order to make the policy of the Upper House conform to that of the Lower—coercion and purgation of the Upper House, restriction of the power of the Crown to create new peers, amalgamation of the two Houses, limitation or abolition of the veto of the Lords, and finally the abolition of the House itself." Next to these in contemporary interest will be those chapters which Professor Firth describes in a pithy and, perhaps, warning sentence of his preface:

"The next ten years proved the drawbacks of a single chamber government and the difficulty of creating a new Second Chamber." One cannot do better in evaluating the book and the revolution it describes than by following the author's own example of copious quotation. The penultimate paragraph contains the gist of the whole matter and nowhere are the political and constitutional results of the long conflict better summed up in such brief compass. "The initiative permanently transferred from one House to the other, the eyes of the nation permanently fixed upon the deliberations of the House of Commons instead of those of the Lords, these were the results of the civil war and the movement which led up to it. They pointed not to the subordination of one House to the other but to the further differentiation of their functions. Hard experience had convinced Englishmen of the necessity of a second chamber, and our modern English theory of the functions of such an institution had been worked out between 1640 and 1660. Even republicans were converted by events to the bicameral theory." Yet, acclaimed as the book will undoubtedly be by the upholders of the ancient order, strongly as it makes for many of their contentions, full as it is of fact and argument which strengthen their cause, one consideration remains. The England of 1911 is, after all, not the England of the Puritan Revolution, the Lords of the twentieth century are not the Lords of the seventeenth, and historic parallels which ignore profound alterations in the balance of society, classes, and economic conditions are, of all material, the most misleading. Into that error Professor Firth does not fall. No treatment could be more detached and scientific than his. And, whatever use may be made of the weapons he offers so impartially to either side, he has only sought and achieved that high and useful service of the historian to society and politics, the impartial portrayal of the past.

W. C. ABBOTT.

*Lord Chatham: his Early Life and Connections.* By Lord ROSEBURY. (New York and London: Harper and Brothers. 1910. Pp. xii, 481.)

It is now five years since the appearance of von Ruville's exhaustive but unsympathetic biography of William Pitt, and two years since the second centenary of Pitt's birth awakened a new interest, if that were possible, in one who is perhaps the most picturesque and inscrutable figure in modern English history. Should any excuses be needed for presenting a fresh estimate of a famous man at least three may be urged for Lord Rosebery. In the first place, it is highly questionable whether von Ruville with all his pains succeeded in setting before us the real man; secondly, the present writer has had access to new materials and has made use of others not hitherto employed in this connection—notably, Mr. Fortescue's family collection of papers at Dropmore, the papers of Henry Fox at Holland House, a private manuscript written by Pitt's



nephew, Lord Camelford, entitled "Family Characters and Anecdotes", and certain of the Newcastle papers. Finally, the peculiar grace of Lord Rosebery's style makes his biography a charming piece of literature.

The work will rank with Trevelyan's *Early Life of Charles James Fox* as a classic torso. The author leaves Pitt at the very moment when he was entering upon his great work in 1756. His task, he tells us, is "only to describe the struggle and the ascent", not "the consummation and the glory of the career". His reason for thus limiting his subject is that, once embarked upon his wondrous course, Pitt deliberately shrouded himself from view. "In a word", says Lord Rosebery, "after 1756, when this book ends, his public life is conspicuous and familiar. But his inner life after that period will never be known." Regarding it as the true function of the biographer to reveal the real man rather than "to record his course as a statesman, his speeches, his triumphs, his achievements", he refuses to go beyond the point where the real man is lost in his public life.

The book opens with a series of graphic sketches of various of the "strange cockatrice brood of the Pitts", designed to show that there was a "lurking madness" among them which formed a part of William's family heritage. This should be compared with Sir Andrew Clark's dictum that "suppressed gout disordered the whole nervous system, and drove him into a state of mental depression, varying with excitement and equivalent to insanity. But there was no specific brain disease." Some sixty pages are occupied with Pitt's letters to his favorite sister, Anne, a brilliant but eccentric, formidable being. Valuable as "the sole record that we have of the unbending of that grim and stately figure", there are over many for what they reveal. Happily, from the few samples given, Lady Hester Pitt's "icicles" are mostly excluded as being "too proper" to print.

With magic art the author marshals Pitt's contemporaries living before us: Walpole, the man of business and *faux bonhomme*; the whole autolatrous tribe of the Grenvilles; the crapulous but gifted Carteret; the fussy Newcastle, and all the rest. Such a series of lifelike portraits has rarely been brought together in a single volume. New material and suggestive conjectures are brought to bear on the epochs in Pitt's early career, his dismissal from his cornetcy in 1736, his acceptance of subordinate office in 1746, and his entrance into the cabinet ten years later. Even when old ground is trodden fresh lights are thrown on the beaten path. Pitt's oratory has been described for us *ad nauseam*; but even the most jaded reader will welcome the extract from Lord Camelford (pp. 451-452).

There are a few evidences that Lord Rosebery has not always read the literature of his period with the necessary care. He states that "justice, has, perhaps, been scarcely done" to Newcastle, among other things to "his laborious life" and "his disinterestedness about money". The latter has been generally recognized, von Ruville does full justice to

the former, while Leadam is inclined to overestimate his capacity. Again, directing his attention too exclusively to Hervey's strictures, he undertakes a rather supererogatory task in rehabilitating George II., when Burke and Waldegrave in his own century, and Mahon, Lecky, and Trevelyan in the next, were mindful of that monarch's good points. Still again, he is over-sanguine of Prince Charlie's chances of conquering England if he had marched south at once in 1745. The tale of the tyrant and the poppies is older than Tarquin, doubtless a Roman copy of the story of Periander and Thrasybulus of Miletus. The index is excellent, but genealogical tables would be an added help.

It should be stated as a final word, that, while Lord Rosebery makes clear Pitt's faults and defects, the "reckless and irresponsible opposition" of his earlier years, his inconsistencies, his immodest advertisement of his virtues, his love of effect, his readiness to accept favors even from those he opposed, he still leaves us with the impression of a grand heroic figure whose character and achievements overshadow his blemishes.

ARTHUR LYON CROSS.

*La Diplomatie Secrète au XVIII<sup>e</sup> Siècle: Ses Débuts.* Tome III. *Le Secret de Dubois, Cardinal et Premier Ministre.* Par ÉMILE BOURGEOIS, Professeur à l'Université de Paris. (Paris: Armand Colin. 1910. Pp. 448.)

THIS is the third and last of M. Émile Bourgeois's series of volumes devoted to the beginnings of secret diplomacy in the eighteenth century. The general scope and characteristics of the work have already been described by the present reviewer in volume XIV., pp. 815-817, of this periodical. Taken as a whole, it covers the period from 1716 to 1723. The central figure throughout is the Abbé Dubois, and the author, by the aid of many new and important documents, traces, with firm grasp and eye steadily fixed on the main issue, the tortuous and complicated negotiations conducted by the gifted but unscrupulous intriguer to secure the succession of the Regent and his own advancement to the high positions of cardinal and first minister.

To attain these purely selfish ends the Regent was obliged to violate the promises of peace for France which he had made on coming to power, and to plunge the country into a costly policy, from which the nation at large derived no compensating advantage. During the first four years of this disastrous régime the interests of Hanover and Great Britain were advanced north and south, and Spain, the natural ally of the French, was well-nigh ruined. Then in 1720 when it seemed to suit his purpose Dubois suddenly shifted his policy and allied himself with the Farnese and Spain, again at considerable sacrifice to French interests. He was the creator of that secret policy for personal ends, as opposed to natural or public policy, which passed on as a baneful heritage to

Louis XV., and bore fruit in the bloody and unprofitable War of the Austrian Succession.

As to particulars, while with the aid of "Memorie delle Cose accadute a D. Antonio Cellamare", preserved in the British Museum, the author comes to a conclusion concerning the Cellamare plot quite at variance with Baudrillart, evidently General Piépape's *La Duchesse du Maine* came out too late for him to consider it. He also corrects Baudrillart in one or two other places, and punctures a few more of St. Simon's misstatements. In his hostility to Dubois, however, he is, it would seem, rather over-favorable to Law. On the other hand, he puts a stigma on Berwick not usually noted (p. 61). References to Francesco Farnese sometimes as the father, sometimes as the uncle of the termagant queen of Philip V. are confusing. He was both her uncle and her stepfather. As in the first volume, M. Bourgeois's footing is not always secure on English ground. For example, one would like his authority for the statement that Great Britain was entitled to send two ships a year to Spanish America by the Asiento (p. 8). Stanhope's and Sunderland's motives for introducing the celebrated Peerage Bill of 1719 are presented in a somewhat novel form, while it is hardly enough to say that the Scots were bribed with nine new peerages; they were to have twenty-five hereditary, in place of sixteen elective, peers (p. 59). It is now generally accepted that the Countess of Darlington was the half-sister of George I., not his mistress (p. 88). The South Sea Bubble did not ruin the Whig party but only the faction in power. Charles Stanhope was Secretary to the Treasury and not "treasurer of the exchequer", and Sunderland, while retaining the favor of George I., had to resign the office of first Lord of the Treasury (p. 267). It is not according to usage to speak of the Duchess of Kendall as "Lady" Kendall, while Pulteney was not created Earl of Bath till 1742 (p. 351). An analytical table of contents does not make up for an index. But most of these points are not of great moment, and we are indebted to M. Bourgeois for a contribution to the diplomacy of the eighteenth century which promises to be definitive.

ARTHUR LYON CROSS.

*Weltgeschichte seit der Völkerwanderung.* Von THEODOR LINDNER, Professor an der Universität Halle. Siebenter Band. *Amerika; Europa bis zum Beginn der Französischen Revolution; Die Revolution und die Republik; Napoleon.* (Stuttgart and Berlin: J. G. Cotta. 1910. Pp. vii, 496.)

PROFESSOR LINDNER's ambitious survey of the world's history since the fourth century goes forward with commendable expedition. In this, the seventh volume, he deals with North and South America from the beginnings of colonization to 1815 and with Europe in the Revolutionary and Napoleonic era. The seventy-one pages on the Americas, covering a

wider field than the first eleven volumes of Hart's *American Nation*, are followed by nine pages on India from the departure of Clive to 1815. Fifty-five pages are devoted to England and western Europe on the eve of the Revolution. Less than one hundred pages are given to France from the closing years of Louis XV. to 1795. The remainder of the volume, some two hundred and thirty pages, deals with Napoleon. The last chapter of this division is an interesting characterization of the personality and significance of Napoleon. The volume concludes with fifteen pages of bibliography and the usual index of names and places.

There can be no question of one man's rewriting the history of the world in an epoch of such tremendous change and within the space limits outlined above. Any attempt to cover so complex an age must depend for its novelty and claim to recognition upon the author's selection of topics, distribution of emphasis, power of synthesis, or his ability to indicate the results of original studies in the turn of a sentence. It must be said with regret that Professor Lindner has failed to give this volume distinction in any of these features. The result is altogether too much like an orthodox compendium of general history, telling too much and teaching too little.

In the survey of American history there are some blunders in names and facts due to haste or carelessness. The bibliography on this section reveals the poverty of the average German library in works on American history. Though it does not signify much in the text, it is encouraging to see in the list of works the names of Henry Adams, Osgood, Trevelyan, and McMaster. Winsor, Tyler, the *American Nation*, the standard series of biographies of statesmen and histories of commonwealths and Larned's bibliography are not even known by name. The interest in this part of the text lies in the attempt to contrast briefly the colonial development on the two American continents, in the emphasis on the religious questions of colonial days, and in the resolution of the pre-Revolutionary *Rechtsfrage* into a *Machtfrage*, two points which a Continental historian, especially a German, would be quick to discern.

The account of Revolutionary and Napoleonic Europe gives the reader fewer of those wide views and interpretative suggestions which are to be found in the earlier volumes. The last chapter, in its characterization of Napoleon as egoism served by genius (the phrase is Taine's) and yet in much that he does a product of historical forces, though not novel, is good. In his estimate of Napoleon's work in Germany, Professor Lindner does full justice to the Corsican as a maker of modern Germany. On controverted points such as the convention of Tauroggen, he presents the older and more generally accepted views. The bibliography has no significance except as an indication of the literature consulted. With three minor exceptions the list contains only secondary accounts. Lumbroso's bibliography is a notable omission.

GUY STANTON FORD.



*Les Impôts Directs sous l'Ancien Régime, principalement au XVIII<sup>e</sup> Siècle.* Par MARCEL MARION, Professeur à la Faculté des Lettres de l'Université de Bordeaux, Correspondant de l'Institut. [Collection de Textes sur l'Histoire des Institutions et des Services Publics de la France Moderne et Contemporaine, publiée sous la Direction de M. Camille Bloch, Inspecteur Général des Bibliothèques et des Archives.] (Paris: Édouard Cornély et Cie. 1910. Pp. 434.)

STUDENTS of the French Revolution should give a warm welcome to this first volume of the collection of texts edited by M. Bloch. The enterprise is happily launched and if the standard of excellence set by M. Marion is maintained throughout the series, we shall have an *instrument de travail* that will make the study of the institutions of France in the eighteenth century both easy and attractive. An excellent volume was to be expected from M. Marion, who had already established an enviable reputation by his works on *Machault d'Amonville* and *L'Impôt sur le Revenu au XVIII<sup>e</sup> Siècle*.

The present volume consists of a collection of sources, preceded by a most valuable introduction of about a hundred pages and followed by a bibliography of the manuscript and printed sources, and a select list of the best secondary works on direct taxation in France under the Old Régime. The introduction is a model of condensation and of sound scholarship. It contains four parts, subdivided into nine chapters, and deals with *La Taille*, *La Capitation*, *Le Dixième*, *le Cinquantième* et *les Vingtièmes*—the last three forming one group—and *La Corvée*. The most of the space is given, naturally, to the first and third divisions. The origin, nature, and defects of the taxes are described and a helpful account is given of the various attempts to reform taxation. Of the principal tax, the *taille*, M. Marion says: "Jusqu'à la fin de l'ancien régime devait rester vrai ce mot de Vauban, 'La taille est tombée dans une telle corruption que les anges du ciel ne pourraient pas venir à bout de la corriger ni d'empêcher que les pauvres n'y soient toujours opprimés'." Concerning the attempts of the government to establish equality in taxation, he writes: "Quant à la destruction des exemptions fiscales, il eût fallu pour l'accomplir une énergie dont le pouvoir était totalement dépourvu, et la Révolution seule allait être capable de la faire triompher." His text fully justifies these conclusions.

The collection of texts, occupying nearly three hundred pages, is divided into five parts, four corresponding to the four parts of the introduction, the fifth being devoted to a half-dozen models of tax rolls, a list of the taxes in eight *généralités* in 1787, and the *procès-verbaux des contrôleurs des vingtièmes*. The bulk of the documents is found under the first and third divisions. In the first division, the matter is distributed into six groups: *Actes royaux*, all documents relating to the *taille* emanating from the central government; *arrêts et remontrances*

*des cours souveraines*, remonstrances of the parliaments, for the most part in opposition to the action of the government; *correspondance administrative*, correspondence of the intendants with the central government and with subordinates; *mémoires et rapports des assemblées provinciales*, documents resulting from the activities of these assemblies in matter of taxation; *cahiers de doléances*, extracts from some of the *cahiers* of 1789; *extraits d'auteurs anciens*, extracts from contemporary works on taxation, consisting of criticisms of the existing taxes and projects of reform. The other divisions have fewer subheads, that on the *Capitation* having but three, but the heads used are always some of the six enumerated. Many of the documents are taken from the archives, namely the Archives Nationales, the Archives Départementales—chiefly of the Gironde, the Seine-Inférieure, the Somme, the Cher, and the Puy-de-Dôme, the Archives Communales, the Archives des Affaires Étrangères, and the manuscript section of the Bibliothèque Nationale, some from printed collections. They are all well chosen and, studied with the introduction, give an insight into the condition of direct taxation in France in the eighteenth century such as can be found in no other single volume with which I am acquainted. M. Marion did not, however, aim to present an account of all of the direct taxes collected in France at this time. His design was, to use his own words: “Résumer ce que l'on sait du fonctionnement des trois grands impôts d'État directs, la taille, la capitation et le vingtième, aux XVIII<sup>e</sup> siècle; réunir les textes les plus importants se rapportants à cette histoire; donner quelque idée de ceux dans lesquels il conviendrait d'aller chercher des suppléments d'information, et esquisser rapidement la bibliographie du sujet, tel a été notre seul but.” He has given us an ideal source-book.

FRED MORROW FLING.

*Histoire de France depuis les Origines jusqu'à la Révolution*, publiée sous la Direction de M. ERNEST LAVISSE. Tome IX., Partie I. *Le Règne de Louis XVI.* (1774-1789). Par H. CARRÉ, Professeur à l'Université de Poitiers, P. SAGNAC, Professeur à l'Université de Lille, et E. LAVISSE, Professeur à l'Université de Paris. (Paris: Hachette et Cie. 1910. Pp. 446.)

THE impression left by the preceding volume of this history that France was suffering chiefly from the blight of what Louis XV. was and from the want of what he could not be, a real king, with a policy held firmly and continuously pursued, is true also of this volume, for somewhat different reasons, because the hapless Louis XVI. differed from his despicable grandfather. Indeed M. Lavissee declares in his concluding chapters that “La cause principale de la ruine de la royauté, ce fût le manque de roi.” In another place he says that if the kings from Louis XIV. onward had played their true part, there would still be a throne in France. One of their heavy faults was withdrawal from the tumultuous

world of Paris to Versailles, a fictitious capital, a transformed hunting-lodge, where they became the slaves of a nobility which they held immured within the château. It was the follies and extravagances of an artificial court life, along with the waste of profitless wars, which were sinking the state into the abyss of bankruptcy.

This volume brings to a close the long story of France from the time of the Gauls to the French Revolution. Its final "book" is filled with the conclusions of M. Lavissee upon the reigns of Louis XV. and of Louis XVI. There remains only the index-volume, and the great enterprise, which has become a monument of modern French historical scholarship, will be brought to an end. The body of this volume has been written by M. Carré, the author of the preceding volume. M. Sagnac has contributed a single chapter on the situation immediately before the meeting of the States General at Versailles and on the method of the elections.

Of the general qualities of M. Carré's work it is necessary only to repeat what was said of his other volume. The subject has been treated many times, and yet by a wise emphasis, by a sanity of judgment, as well as by utilizing new material, especially on the economic aspects of the Old Régime, he has succeeded in giving fresh interest to every phase. The section on public relief is new to the general histories of the period. Out of ten titles referred to in the bibliographical note upon this subject seven have been published since 1903.

M. Carré emphasizes a side of Turgot's ministry that has often been forgotten. It appears that Turgot needed to be delivered from his friends as well as from his enemies. His friends crowded into the offices and seemed to think they had taken possession of the state. Their precipitancy reminds one of the behavior of the Constituents fifteen years later. They did not feel that Turgot was going too fast, but urged upon him a more rapid realization of his programme. And this was not their only fault, for they had certain sinecures revived in favor of members of their group.

This volume contributes two or three interesting illustrations of the fact that reforms instituted during the Old Régime survived the changes of the Revolution, or that the Revolution was a period of hurried development rather than an abrupt break with the past. To the work accomplished by St. Germain, minister of war from 1775 to 1777, M. Carré attributes the superiority of the French artillery during the next generation, including the period of the Empire. He also notes that Necker's *régies* were the beginning of the permanent administration of the indirect taxes. Furthermore, the Revolution and the Empire were to preserve the organization of the Ministry of Foreign Affairs created by Vergennes. It is worth remarking in connection with this ministry that Louis XVI. concealed its important negotiations from the queen. M. Carré says the king's comments upon the reports of Vergennes were judicious.

*Lectures on the French Revolution.* By JOHN EMERICH EDWARD DALBERG-ACTON, First Baron ACTON, D.C.L., LL.D., Regius Professor of Modern History in the University of Cambridge. Edited by JOHN NEVILLE FIGGIS, C.R., Litt.D., Honorary Fellow of St. Catharine's College, and REGINALD VERE LAURENCE, M.A., Fellow and Tutor of Trinity College, Cambridge. (London: Macmillan and Company. 1910. Pp. vii, 379.)

THE twenty-two lectures contained in this volume were delivered by Lord Acton at Cambridge, as regius professor of modern history, in the years 1895-1899. "The French Revolution, 1789-1795", the editors tell us, "was in those years one of the special subjects set for the Historical Tripos and this determined the scope of the course." The lectures had no titles; they were supplied by the editors. What we have, then, is a series of lectures delivered to college undergraduates who were preparing themselves for an examination on the French Revolution. They are entertaining, like the light and varied conversation of a gentleman of culture, bearing but little trace of effort in preparation or of research. Even as college lectures, planned to serve as an introduction and guide to the study of the Revolution, one might easily conceive of something better than this series. The lecturer assumes too much knowledge on the part of his audience; often he would be intelligible only to those who knew as much as himself about the subject, and to such persons his lectures would furnish no help. The subject-matter is not well organized, often very important topics are simply touched in passing or are not mentioned. There is too little narrative and too much discussion of aims and views and that often when we can know nothing about what the aims and views really were. There are one or two marked exceptions to this, the flight to Varennes being described in considerable detail, nearly half as much space being allotted to it as to the Legislative Assembly. There is little that is new in the volume and much that is new strikes one as somewhat bizarre. In the chapter on the Heralds of Revolution, for instance, we find three pages devoted to Fénelon and Voltaire is simply mentioned, *en passant*, in a phrase. The chapter on the Influence of America is the newest thing in the book and is well worth reading. Especially interesting is the difference between Burke's earlier and later attitude toward Revolutionary principles. Lord Acton maintains an eminently fair attitude toward the Revolution, but one notes frequently that he is not sufficiently well informed and it is clear that his treatment of an historical question is that of a cultivated, scholarly gentleman and not that of a specialist in history. Incorrect statements of fact are not infrequent, but more numerous still are cases where the fact is stated in such a way as to make clear that the lecturer did not fully understand it, or where he asserts dogmatically some matter that is in doubt and may always remain in doubt. This latter attitude, frequently met with, would seem to indicate that he did not understand fully what historical proof



means. He said of the supposed death of Louis XVII. in the Temple: "Louis Blanc believed that the king had been secretly released. . . . The truth is that he died on June 8, 1795" (p. 338). Numerous are the cases where he states as facts rumors concerning conspiracy, bribery, or intrigue, resting upon such evidence that no careful historian would think of repeating them. Evidently all sources looked alike to Lord Acton and a single source was sufficient to prove the fact. Perhaps the best example of his dilettante attitude toward his subject is found in the appendix, where the editors have brought together such connected fragments of Lord Acton's discussion of the literature of the Revolution as remain. They were generally given "in a conversation class or as an additional lecture". After running over the old histories of the Revolution, giving a general estimate of each, he concluded: "Tocqueville for the origin, Droz and Laboulaye for the decisive period of 1789, Duvergier de Hauranne for all the political thinking, Dareste for the great outline of public events, in peace and war. They amount to no more than five volumes. . . . We can easily read them through; and we shall find that they have made all things clear to us, that we can trust them, and that we have nothing to unlearn" (pp. 359-360). Possibly he could not have done better in 1895 than recommend these five volumes—although it is strange that he did not include Chérest—but what shall we say to the statement that "they have made all things clear to us", and the rest of it? Farther on (p. 372), possibly at a later date, he recommends the volume by Aulard, in the *Histoire Générale*, as "intelligent and instructive beyond all others, and shows the standard that has been reached by a century of study". In dealing, in another place, with the progress in the study of the Revolution, he seems to overlook the part played by the writer of monographs and leaves the impression that the final synthesis of the Revolution can be made directly from the sources by one man, when all of these sources have been published (p. 373). On the whole, although entertaining reading, and marked here and there by cases of what is evidently first-hand study—although one can never be certain, as no evidence is ever cited—these lectures were delivered fifteen years ago and the scientific literature of the subject has grown at such a pace that even had they been worth publishing at the time, they certainly are not worth publishing to-day. We do need a good volume on the Revolution, but it is clear that this is not that volume.

FRED MORROW FLING.

*The Life of Napoleon Bonaparte.* Revised and enlarged edition. In four volumes. By WILLIAM MILLIGAN SLOANE, Ph.D., L.H.D., LL.D., Professor of History in Columbia University. (New York: Century Company. 1910. Pp. xiii, 457; vii, 467; vii, 425; vii, 527.)

THESE volumes were first published fifteen years ago in an edition

sumptuously illustrated. There were not merely portraits but also reproductions, generally in color, of historical paintings, or of paintings and drawings made expressly for the work. As Professor Sloane intimates in his new preface, between the text and the illustrations there was sometimes a "divergence confusing to serious minds". This and the large cost of such an edition would have been sufficient reason for the preparation of a library edition from which should be omitted all pictures except portraits. It was natural also that Professor Sloane should desire to embody in his work the results of his further investigations. There never was a time when Napoleonic studies have been more active and fruitful. The publication of the works of Masson, Sorel, Aulard, Chuquet, Vandal, and Lanzac de Laborie, to mention only French names, is evidence of this.

Although the new matter in the revised edition has only slightly increased the length of the work, amounting to about one-tenth of the whole, it has materially added to the interest and value. It is chosen so judiciously that its effect is to support with further details the impression left in each instance by the earlier statement. There is no essential change in the interpretation of Napoleon's career. In general the new matter is in the form of an occasional paragraph, its character necessitating little or no alteration in the paragraphs which precede and follow. In a few instances there appears to be a slight conflict of impression between new and older matter, notably in the account of Napoleon's garrison life at Auxonne and in the comments on the strategy at Hohenlinden. Somewhat more attention to the general diplomatic situation is given in the new edition. Illuminating details are also added to the account of the *coup d'état* of Brumaire, to the Provisional Consulate, and the affair of the Duc d'Enghien. Aside from such minor additions there are new chapters on the Continental System and on Napoleon and the United States, the latter apropos of the sale of Louisiana, while in the chapter on St. Helena there is an extended account of the growth of the literature of Napoleon's exile.

One legend of the period Professor Sloane disposes of in this edition, namely the story that Napoleon at the conferences of Udine seized a vase belonging to Cobenzl and dashed it to the floor exclaiming "In less than a month I shall have shattered your monarchy like this." The story of the drowning of thousands of Russians through the ice of Satchan Lake during the retreat from Austerlitz Professor Sloane regards as supported by convincing proofs. Possibly he may not have noted the work of Slovak-Janetschek, which seeks to show by the official records that when the lakes were dragged only two bodies were found and these men had evidently been killed before they fell in.

There is one historical problem upon which it would have been interesting had Professor Sloane stated his opinion in more detail. He believes that Napoleon's tirade against Villeneuve for turning southward to Cadiz in August, 1805, instead of steering for the Channel, was a genuine ex-

pression of feeling rather than one of many illustrations of Napoleon's way of "making" history. This question has been revived since the publication in 1902 of Desbrière's *Projets et Tentatives de Débarquement aux Îles Britanniques*, under the auspices of the Historical Section of the French General Staff. From the correspondence there published it does not appear that Napoleon at first thought of Villeneuve's change of course as vitally affecting his scheme. In his letter of September 1, when he had just heard of it, he expresses anxiety mainly about the safety of the Rochefort squadron, which Villeneuve's move southward jeopardized. It should be remembered that for over a week Napoleon had been dispatching troops toward the frontiers of Austria. On August 28 he had written that the army was in full march. The first time he fixes upon Villeneuve the blame for "mon expédition manquée" is in a letter of September 8, and not even then because Villeneuve had gone to Cadiz, but because he had entered Ferrol instead of uniting the squadrons and keeping on into the Channel.

Mention should be made of the serviceable bibliography, filling about fifty pages of the fourth volume. Although it is not intended to be complete, one misses notice of the second edition of Fournier, of Aulard's *French Revolution*, which treats of the Consulate as well as of the earlier period, and of Lanzac de Laborie's *Paris sous Napoléon*.

H. E. BOURNE.

*Marschall Bernadotte, Kronprinz von Schweden.* Von HANS KLAEBER, Oberstleutnant a. D. (Gotha: Friedrich Andreas Perthes. 1910. Pp. x, 482.)

THIS volume is practically a biography of Bernadotte, for its scope is not limited to the eight years when he was prince royal of Sweden, as 270 of its 466 pages of text deal with his career prior to 1810, while the twenty-six years of his kingship were of the proverbially happy sort which have no annals. The limitation of the book is not primarily in scope but in character, for it is distinctly a military biography.

The book is well printed and amply illustrated with an admirable selection of portraits, photographs of buildings and scenes, reproductions of prints and documents, and an abundance of useful sketch-maps illustrating the military operations. Unfortunately there is neither an analytical table of contents nor an index.

The ten-page *Verzeichnis der benutzten Druckwerke* makes no pretense of being an exhaustive bibliography, for it even omits the biographies by Touchard-Lafosse (Paris, 1838) and Swederus (Stockholm, 1877-1878) which are cited in the foot-notes. Many titles lack the place and date of publication, and rarely is any distinction made between trifling monographs and works in several volumes. The foot-notes seldom, if ever, give exact citation of volume and page. Aside from acknowledgments, in the introduction, to the General Staff in Berlin and

to the archives in Dresden and Stockholm, there is little evidence of the use of new manuscript materials, but the author has verified many facts of a geographical and antiquarian character, and corrected several discrepancies in dates which have led previous writers into errors of a more serious sort. The narrative is frequently enlivened with extracts, in German translation, from Bernadotte's correspondence and conversations, mostly borrowed from earlier publications.

Bernadotte's share in each campaign from the outbreak of the war between France and Austria in 1792 through the campaign in Norway in 1814 receives due consideration; but to the campaigns of 1813 more than a hundred pages are allotted, showing that the author's chief interest is centred on the great year of the *Freiheitskrieg*, for which he makes liberal use of the works by Lagerhjelm (Stockholm, 1891), Wiehr (Berlin, 1893), and Friederich (Berlin, 1903-1906), and cites several other recent monographs. In general, considerable use is made of the older biographies by Geijer (Stockholm, 1844) and Sarrans (Paris, 1845) and of the more recent one by Schefer (Paris, 1899). The literature in German, both general and monograph, seems to have been more thoroughly worked over than that in French and Swedish. Pingaud's *Bernadotte, Napoléon et les Bourbons* (Paris, 1901) is mentioned in the bibliography, but even this honor is denied to the studies on the embassy to Vienna by Masson (Paris, 1883) and Casati (Paris, 1898) and on the foreign policy of Bernadotte from 1810 to 1815 by Alin (Stockholm, 1899).

The style is simple and straightforward, even tending to monotony and, at times, to a failure to differentiate sufficiently the important facts. In his judgments and in his general avoidance of the expression of personal opinion, the writer has fairly conformed to his professions of impartiality; but in method and content every page seems to exhibit the traits of the German military officer. The author's conception of Bernadotte is very definite and reasonable, but it underlies the treatment of facts rather than emerges as a resultant explanation of them. He discovers three phases to Bernadotte's career: without Napoleon till 1796, with Napoleon from 1796 to 1810, against Napoleon after 1810; but he is obliged to confess that this key is too simple to unlock the mystery of Bernadotte's character and actions. Clearly Oberstleutnant Klaeber, though sympathetic to his subject, finds difficulty in comprehending the native of Pau and the republican, who was ill concealed by the titles of marshal of the empire and prince royal of Sweden. What a puzzle would he find Pau's other great son, Henry of Navarre!

GEORGE MATTHEW DUTCHER.



*A History of Malta during the Period of the French and British Occupations, 1798-1815.* By the late WILLIAM HARDMAN of Valetta. Edited with Introduction and Notes by J. HOLLAND ROSE, Litt.D. (Cantab.). (London and New York: Longmans, Green, and Company. 1909. Pp. liv, 657.)

THE title of this book may be misleading. Only forty pages deal with the history of Malta, 1803-1815, and there is a final statistical chapter of nine pages designed to exhibit the economic benefits which the Maltese must have secured under British rule up to the year 1905. The largest space is devoted to the period 1798-1803 and we should therefore judge the book as a contribution to Napoleonic history. First, however, as to the origin of the book, which is largely a collection of extracts from documents, and as to Dr. Rose's editorial connection with the literary remains of Mr. Hardman of Valetta.

This connection is clearly shown in the preface. Mr. Hardman had with industry and at some cost collected a large number of extracts from printed sources, relating in one way or another to the history of Malta. These were mainly from somewhat unusual books on Malta, from the correspondence of Napoleon, Nelson, Paget, etc., and from that invaluable set *L'Expédition d'Égypte*, edited by C. de la Jonquière. In addition, quotations had been secured from various manuscript archives in London, Paris, Malta, and elsewhere. In particular the journal of General Vaubois during the siege of Malta by the British had been quoted at great length from the Archives Nationales, AF III. 73. Mr. Hardman's wise notion had been that a collection of documents with a small thread of comment would be of the largest service. To this idea, under authority of Mr. Hardman's executors Dr. Rose devoted himself. Yet his task of compression must have been difficult. He has given us an admirable introductory essay of fifty-three pages on some of the larger aspects of the problems involved or affected by the material he has had to handle. He has abridged many of the quotations from documents, has supplied foot-notes where they seemed to be needed, and has (I judge) also reduced at times the editorial connective tissue which had been originally supplied by Mr. Hardman. Turning therefore from the history of the book we come to the question of its usefulness to the student and to the importance of the subject as a whole.

The most inglorious period of an historic corporation is illustrated by quotations from various books including Ransijat's *Siège de Malte*, and by the material summarized by Mr. Hardman in appendix i. as to "the financial condition of the order of St. John and the revenue of the island in 1798". But the Maltese question appears as well in appendix iv. where Mr. Hardman expresses his opinion as to Maltese histories and historians. That Mr. Hardman was apparently a hearty supporter of British government need not disturb the democratic advocate of a local oligarchy; he can at all events become acquainted with the material here

cited. But let us turn back from such questions as involve the Consiglio Popolare and the ethical and historical aspects of British acquisition and domination in a naval base of imperial importance.

We come now to a matter of wider interest, *viz.*, the motives for the French seizure of Malta. And here we are concerned immediately with the failure to explain the larger and historical interest of both Russia and France with regard to the Mediterranean and more particularly as to Malta. Thus, though in chapter xvii. (Russia's Connection with the Order of St. John) very valuable manuscripts, chiefly from the Malta Public Library, are for the first time printed, we find inadequate appreciation of the significance of the general scope of Russian desires with regard to the Mediterranean (*cf.*, for example, Brückner, "Russlands Politik im Mittelmeer" in *Hist. Zeitsch.*, XXVII. 85-115). And while Dr. Rose naturally talks about Carthage, Louis XIV., and Corfu, the essential facts with regard to French economic interests in the Levant are not clearly stated. At least no apparent use has been made of the figures supplied for example by Mayer, Beaujour, Beausobre, Jackson, Arnould, Anthoine, Savary, and others. In any event from 1715-1789 French exports to the Levant had increased twelvefold, and imports from the Levant thirteenfold; and in 1787 France had 42 per cent. of the total trade of Smyrna (*cf.* my *Eastern Problems*, pp. 140-141, and notes). The Napoleonic interest in the Mediterranean and in Malta was primarily a French interest and along natural and national economic lines the genius of the man attempted an outlet.

The extracts from the journal of Vaubois, however, are a distinct contribution to a narrower aspect of the history of the times. Napoleon could not always sweep up the fragments of a failure; when he failed he did not destroy the records which were to be available to the archivist of a former enemy. Lastly we find those clear indications in private correspondence of the disruptive forces which radiated from the Maltese question in the early nineteenth century. That question became not merely a touchstone of peace or war between England and France but also a phase of the larger Eastern question which Napoleon from time to time so skilfully intruded as a stumbling-block to the effective and continuous alliance of his enemies. The history of Malta in these years is a history both of a microcosm of world-politics and of an essential factor in the local annals of Europe. With English rule in Malta Napoleon was destined to appreciate the truth of Mayer's words (of 1790): "Qu'un nouveau souverain placé sur ce point [Malta] central des deux continens, ouvriroit et fermeroit à son gré le passage à nos vaisseaux" (*Considérations Politiques et Commerciales*, etc., p. 6).

The student will find valuable material in this book, though he will still naturally insist on turning, when possible, to the numerous printed sources on which Mr. Hardman has laid tribute. He will through both text and editorial comment appreciate more fully the significance of Malta in the history of the world. And he will also observe the

scholarly and sober method and motive which both compiler and editor have shown.

ALFRED L. P. DENNIS.

*France under the Republic.* By JEAN CHARLEMAGNE BRACQ, Litt.D., Professor of Romance Languages in Vassar College. (New York: Charles Scribner's Sons. 1910. Pp. vii, 376.)

"THE writer has attempted in this book to gauge the great political experiment of France during the last four decades, and to make an inventory of the constructive and reformatory work of the Republic." The purpose, so expressed in the opening words of this book, is well carried out in what is certainly the best general survey of the present situation in France obtainable in English. Professor Bracq has carefully executed a difficult task, and has backed up his extensive personal knowledge by detailed statistical and historical researches. He has attempted to cover every point of interest—art, philosophy, economics, social questions, moral and educational reforms and tendencies, education, religion and doubt, secularization, separation of Church and State, socialism and the growth of capital, national and local politics, and other things. This encyclopedic survey is crowded within the covers of a handy volume, and it is to be hoped that it will find a goodly number of readers.

The book is both an impression and a study, which fuse in a thorough-going defense of and apology for the Republic. Professor Bracq is a patriot and a Republican, and he has marshalled his material for the conviction of all who doubt the prosperity and progress of France to-day. If he succeeds he will have performed a real service; for much misunderstanding of France and Frenchmen is current both in our press and among our German-trained professors. But it will be rather by good fortune than otherwise if the author's enthusiasm has not spoiled his defense. Besides, there is one essential error in method. He has compared France with France, the Republic with the Empire, the present with the past. He seldom gives one any comparative view with other nations. The advance made by France during the Republic is certainly stupendous. But what of Germany? It is a service to show—and the facts are conclusive—that the French are far from being a degenerate race and are making magnificent advance in almost every line. But the student of modern social phenomena, faced with the fact of the accumulative rate of progress of all civilized countries to-day, must go deeper for an explanation and must carefully check up the relative position of France with the other nations in this dynamic process. Behind it all lie the Industrial Revolution, science and machinery. Professor Bracq's survey in noting only a single chapter of its results—results, to be sure, which make the era of the Republic the most remarkable in the whole history of France—leaves one with a feeling of having listened to only

part of an argument. Unfortunately this patriotic narrowness weakens a thoroughly sound conclusion. It has been said that only financiers to-day recognize the strength of France. When a financial power like hers grows up where nature has not lavished her gifts as with us, the moral stamina of the people is also convincingly displaced.

The book is well documented and its references and citations are pleasingly apropos. Of especial interest are the extracts from school text-books, to refute the charge of their immoral and irreligious character. Interesting too is the fact that criminal statistics have made a worse showing in periods of Catholic control than under lay rule. But of such items the book is full. Some chapters, however, are thin. That on History is perhaps the poorest, though little discrimination is shown in the treatment of the other social sciences as well. A mere enumeration of names is not of much value. There is a strange absence here of concrete statement. The survey of social legislation is too glowing. Much remains half-done in that field. Institutions of charity make a larger showing than they deserve. The apologetic tendency is too evident in such statements as: "In the French army an officer is suspended for debt" (p. 172). Not always; witness some figures in the Dreyfus case. It appears most frequently in the use of such epithets as "admirable" or "generous" with references to actions of rather plain social duty, and reaches a climax in his approval of the latest suburban architecture around Paris!

J. T. S.

*Europe since 1815*. By CHARLES DOWNER HAZEN, Professor of History in Smith College. (New York: Henry Holt and Company. 1910. Pp. xxiv, 830.)

MR. HAZEN tells us in his preface that his narrative "is based chiefly, as probably any synthetic work covering so large a field must be, on the elaborate general histories of different periods or countries, on biographies, and on the special monographic literature". It goes therefore without saying that the book is not written for specialists in this field; it is expressly composed for college students and for such general readers as are interested in taking a survey of the most recent phase of European history under an experienced guide. Mr. Hazen's task was largely one of presentation, involving selection and proportion of materials, emphasis, clearness, and all those related matters conveniently grouped under the heading style. His style in this generous sense of the word, that is, his personal contribution to the bulky mass of facts at his disposal, is uniformly admirable. Without ever waxing portentous he maintains an even tone of dignity exactly corresponding to the gravity of his matter. His expression is simple and clear without ever dwindling to bareness and without sacrificing that dramatic feeling toward great events by which alone they are realized in impressive



pictures. Finally, he is informed, circumspect, and rigorously impartial, as anyone may satisfy himself by turning to his handling of such contentious issues as the Ems despatch (p. 292), the Congo Free State (p. 554), and the Boer War (pp. 539 ff.). But these merits of temper and training admitted, a leading interest is certain to attach itself to the question of viewpoint. From what angle or platform does the author pass the movement of this wonderful century in review? Is he an old-school political historian, or does he lean toward the innovators, whether these favor the importation of economic and sociological or general cultural materials into our presentations purporting to be history? Undeniably Mr. Hazen is in the main traditionary, that is, he is convinced that a history of the nineteenth century is chiefly concerned with the march of democracy, the grant or reform of constitutions, the development of nationalism, and the relation to one another of the great powers in war and peace. That means, speaking generally, that he occupies the same ground as such predecessors in this field as Fyffe and Andrews. But the discussions of the day have troubled him sufficiently to force a slight concession offered in a concluding chapter—Certain Features of Modern Progress—which has every appearance of being an afterthought and which certainly fails to convey an adequate impression of the enormous cultural complexity and richness of the period. Only an inordinately unsympathetic reader will refuse to make full allowance for the difficulties of an author trying to meet a confusing mass of claims within strictly prescribed limits, but the doubt may fairly be voiced if the attempt was worth while. In the opinion of the present reviewer the informing spirit of the book calls for a final detailed political review which shows the states of Europe as a single commonwealth struggling to fulfill a common destiny. Mr. Hazen successfully shows this open and secret interlacing of diplomacy up to about the period of the Franco-German War, then and, curiously enough, at precisely the time when it acquired a greater potency than ever, it drops from sight and we get from him as good as nothing about the genesis and meaning of such combinations as the Triple Alliance and the triple *entente*, and we are left to clamor wholly in vain for light on the Anglo-German rivalry which so completely dominates the European world of to-day. Perhaps this is overemphasizing an individual judgment, but the conviction persists that the proportions of the book as well as its underlying assumptions would have been better served by a concluding political survey than by a necessarily hurried tabulation of the cultural contributions of the nineteenth century. The cultural history of this century presenting the whole forward movement of the age remains still to be written, and, desirable though it be, will hardly be produced till we have reached a much more clarified view than at present obtains of the aims of historical study.

The book owes much of its effectiveness to its having been written by a practical teacher. The rigorous adherence to broad lines, the elimi-

nation of confusing detail however picturesque, the admirable clarity of statement and logic of development, declare that the author never left out of consideration the difficulties of the student and specifically of the American student. This pampered individual has also been coaxed in other ways to be pleased to accept the advantages of an expensive education, as, for instance, by the proffer of the best set of maps that has ever been incorporated in this kind of volume and by descriptive bibliographies that have been compiled with careful and tender solicitude for his powers and needs. This first volume in the new American historical series is an emphatic endorsement of the view that the educational problems of our American colleges are best met by American teachers and scholars.

FERDINAND SCHEVILL.

*The Life of Benjamin Disraeli, Earl of Beaconsfield.* By WILLIAM FLAVELLE MONYPENNY. Volume I., 1804-1837. (New York: The Macmillan Company. 1910. Pp. ix, 401.)

If by any unfortunate mischance the two succeeding volumes of Mr. Monypenny's biography of the Earl of Beaconsfield should not be published, the first volume would leave the world wondering how it came about that the Benjamin Disraeli of 1804-1837—the period covered in this volume—ever became the leader of the Conservative party and served two terms as Prime Minister. It might be recalled that when Disraeli began to be influential within the Conservative party that party was going through one of the recurring periods when it has either used up or shed its best men and when it is almost without a policy. This was as obviously the case in 1846 after the Conservatives had broken with Peel over the repeal of the corn laws as it had been in 1829 when the Wellington administration hopelessly broke down and the Conservative régime which went back to 1784 finally came to an end. The condition of the Conservative party in 1846 was weak in the extreme, and recovery seemed as difficult as it had been after the end of Wellington's brief tenure of the leadership. But if the contents of these four hundred pages were all that were known of Disraeli, there would be little to suggest that a man of the character and achievements of Disraeli up to the time of his election for Maidstone in 1837 could be of any great service to a political party that was really attached to political principles, and dependent for its strength in the House of Commons—whether in opposition or in power—on the votes of a middle-class electorate such as existed from 1832 to 1867.

Mr. Monypenny may congratulate himself that he has succeeded with the most difficult part of his undertaking, and succeeded admirably; for no biographer of any English statesman of the nineteenth century had for his subject a man whose early years were less in keeping with the career of a future statesman. With the exception of Canning, Peel,

Gladstone, and Disraeli, all the great political leaders of the nineteenth century were of the governing class, and their early political careers were along conventional lines. Peel and Gladstone were not of the governing class; but their early lives were entirely conventional. Assuredly there was nothing conventional about Disraeli's career up to 1837. It was quite unlike the earlier years of any English statesman of either the eighteenth or the nineteenth century. It consequently presented difficulties altogether new to any political biographer. But it had at least the advantage of novelty; and this advantage Mr. Monypenny has turned to good account. He has written the best story extant of the Disraeli family—of Benjamin Disraeli, who was the author of *The Curiosities of Literature*, and of Sarah Disraeli, the sister to whom Disraeli was so much attached; and incidentally he has made it clear when and how the Disraeli family ceased to be of the Jewish religion. Equal care has been bestowed on Disraeli's school-days, not at Eton or at Harrow, but at schools that are now forgotten; on his abortive apprenticeship to the law, first in the office of a city solicitor, and next at Lincoln's Inn; of his unfortunate speculations in mining stock, which were so disastrous that he was financially embarrassed for many years to come; on his part in Murray and Lockhart's attempt to found a Conservative daily newspaper that should rival the *Times*; on his career as a dandy and a novelist; and on the journalistic work that he did for the *Morning Post* and the *Times*—work which seems to show Disraeli at his worst.

Political interest begins with Disraeli's first effort to secure a seat in the House of Commons at the by-election at High Wycombe on the eve of the enactment of the Reform Bill of 1832. There were three or four unsuccessful contests before Disraeli was elected for Maidstone. These were the years when Disraeli was a social and political adventurer, ready to accept nomination from a Radical like the Earl of Durham or enter the House as a Conservative. But it is clear from the speeches and letters that Mr. Monypenny has so industriously collected, that Disraeli only went where from the first he belonged when he joined the Conservative party in the House of Commons. Better opportunities open out for Mr. Monypenny as a biographer after 1837; and the first volume of the life of Disraeli abundantly warrants the expectation that when completed this biography, as regards good workmanship and value and interest, will rank, perhaps not quite with Morley's *Gladstone*, but certainly with any other biography of a nineteenth-century British statesman.

*The Rise of South Africa: a History of the Origin of South African Colonisation and of its Development towards the East from the Earliest Times to 1857.* In four volumes. By G. E. CORY, M.A., Professor in Rhodes University College, Grahamstown, South Africa. Volume I. *From the Earliest Times to the Year 1820.* (New York and London: Longmans, Green, and Company. 1910. Pp. xxi, 420.)

THIS scholarly volume should interest a wider circle than those concerned merely with South African history. Thus a student of institutions who happens to be concerned with American westward expansion could find both profit and pleasure in this treatment of another colonial settlement and of the origins of other imperial questions. Indeed the story of the collection of much of the material, which supports this volume and which will be used in the succeeding volumes, suggests strongly the methods used by collectors and archivists to secure material for the history of the exploration and expansion of our own Northwest. The tales of early settlers, the long expeditions to secure old letters found in remote farm-houses, the use of neglected collections of source material in decaying government stations—all the romance of the collector's life are here hinted at, while in foot-notes, as well as in the steady record which the patient author gives, the early history of a white man's colony slowly develops. But there are many characteristic qualifications. Throughout, two racial questions are evident. Both Anglo-Dutch relations and the existence of a great native population give local emphasis to large matters. On the whole the Dutch apparently get if anything more than even treatment. But the later volumes will give clearer evidence as to this. As for the native question, the conditions of border warfare which so occupy the historian seem to justify to him the repressive measures often taken by the white man, and particularly at this stage by the Boer. The reproductions of photographs and maps add much to the value of the book; and the index is fair.

Thus we pass to the general plan of the volume and to one or two of the particularly controversial topics which it includes. In the first place this volume is not primarily the history of Cape Town or of Cape Colony in any narrow sense, nor on the other hand does it as yet deal with the growth of South Africa in a general way. Rather is it, as the subtitle indicates, a study of expansion, particularly to the east of Cape Town, of the relations of this eastern region to the central authorities whose European connections were through the shipping that anchored in Table Bay. And here we must recall the vice-versa of South African expansion as compared with our own, and note also that lack of suitable harbors made this expansion, at least for the time, essentially continental, though not remote from a coast. Thirdly follow the tangled relations of Dutch settlers, foreign invaders, and native races. As is the case in so many other matters the voyages of the sixteenth century, the



expansion of ultra-Protestantism, and the French Revolution contribute chiefly the primary European elements to this story. The final facts with which this first volume ends are the settlement in increasing numbers of English colonists and the rise of modern humanitarianism, the anti-slavery movement and its relations. Roughly the first 150 pages deal with the period to 1806, when ultimate Dutch authority came to an end in this region. Besides the topics already mentioned, the development of a judicial system, land tenure, the labor question, and the start in South Africa of modern missionary work are also included. The chapters which will probably arouse the greatest interest in the specialist on South African history are those on the struggle for the Zuurveld, which led to the British establishment of Grahamstown; and secondly on the Dutch "rebellion" which led to the death of several of its leaders at Slagter's Nek. This much discussed event marks one of the early mile-stones in the history of Anglo-Dutch antipathy and is here handled in sympathetic yet scholarly fashion. In general the early English versions and the later Boer traditions are both rejected. Thirdly, the concluding chapter is of particular interest in that it deals with the first combined militant movement by white men against the Kaffir. At the end come the English settlers of 1820.

The students of British imperial history will find in this volume a sober story of the beginnings of a recent and entangled problem. Here we find the same earnest inability to understand, the same unfortunate sense of justice, the same evangelical and Nonconformist conscience at home, and the same inevitable expansion of British authority, to which the memories of the last decade can so abundantly testify. But South African history is splendid stuff; and this volume with its valuable extracts from records and its careful method is a contribution to the better understanding of it.

ALFRED L. P. DENNIS.

*A History of Japan.* By JAMES MURDOCH, M.A. Volume I. *From the Origins to the Arrival of the Portuguese in 1542 A. D.* (Yokohama, Shanghai, Hongkong, Singapore: Kelly and Walsh, Ltd.; London: Kegan Paul, Trübner and Company, Ltd.; Leipzig: Otto Harrassowitz. 1910. Pp. viii, 668.)

PERHAPS one may divide the past four decades of the parallel progress of the writing of Japanese history by Occidentals and of the study of their own history by the Japanese into the following three stages. In the first stage, the Japanese were too eager for new learning to cast a retrospective glance upon their past, and the old scholars of history were neglected for the time being; the books produced by Western writers on Japan were correspondingly puerile, one very popular work, which is still considered an authority in some quarters, containing passages written by the author's Japanese pupils as their lessons in English composi-

tion. With the sudden growth of nationalism in Japan, however, the historical study of her people quickly passed into the second stage, in which not only were the old scholars and old materials recalled to service, but also sources, hitherto but little known lurking in temples and private homes, were systematically searched, studied, and collated. The amount of the new materials thus collected and of the new views of history they forced upon the student was enormous. At the same time, there were now a few Europeans who had acquired sufficient knowledge of the Japanese language and culture to be able to make an intelligent use of the service of native assistants for the purpose of historical writings. These were, however, still too crude to merit the notice of Japanese historians, while the latter's active researches were too special and minute to be comprehensible to foreign authors. The two, therefore, remained, as they still do to a large extent in the present third stage, strangers to one another. At this stage, the native scholars are gradually emerging from the work of deciphering old documents into that of constructive criticism of their contents, from the culling of authentic data to their analysis and interpretation. Almost wholly unrelated to this vigorous movement among Japanese historians, a few foreign authors seem now to have come to a point where they get first-hand glimpses of the vast literature of Japanese history and apply to it, in some measure, not scientific criticism, but what might be termed the criticism of common-sense. Mr. Murdoch's first volume is by far the best product of this stage.

The first four chapters, on the period before 645, abound with proofs of the author's critical acumen, pointing out in his half-playful manner many inconsistencies in the *Nihongi*. He accepts Mr. Hulbert's theory that some southern Koreans came, not from the north, but from the South Sea by way of Ryūkyū and Kyūshū, and makes an extensive application of this hypothesis to primeval Japanese. One misses in these chapters reference to the archaeological finds made recently in Korea and on her northern borders, as also in Japan since Gowland's time. The significant story of Illa is passed by as "strange" (p. 108). The germs of institutional reform after about 500 A. D. which were caused by economic necessity, and which heralded the events after 645, are not clearly brought out. As a consequence, the Reform of the latter year (ch. v.) is described as much more abrupt and thorough than recent researches seem to prove. The Reform is treated much more fully than by Brinkley or La Mazelière, but Mr. Murdoch's views as to what seems to have been done by the reformers about the land and men under private control, how extensive was the area in which the new measures were enforced, and what was the status under the new régime of those older institutions which confront us again after 645, must be said to be inconclusive. The next chapters (vi.-xi.), bringing the story down to the fall of the Taira, shows with the author's usual clearness how the influence of the bureaucratic government at Kyoto waned. Political events are

well handled, and the great social changes of the period receive emphasis. The important question, however, as to how the control of some of the landed estates of the civil nobles passed into the hands of armed stewards, is not treated in a manner to satisfy the careful inquirer, and the ambiguity on this point affects the chapter on Yoritomo, otherwise so excellent. The reason for this weakness lies in the fact, which can be easily established, that the author has not studied the material at Tōzhi, Kōyasan, and other places about *shōen*, without which no discussion of this important period is possible. Nor does he seem even to have examined the works of those Japanese scholars who have studied these sources.

In the chapters on Yoritomo and the Hōjō (xiii.-xv.), the analyses of the Minamoto government (save the author's ideas of the *ji-tō*, which call for a reconsideration) and its subsequent development, of the changed moral tone of the age and the rise of the woman's position in society, of the good administration of the first Hōjō regents, and of other topics, seem lucid and just. For his study of the Mongol invasions, he has made use of Marco Polo and some Korean accounts, but the Japanese *Fuku-teki hen* and *Sei-sen i-seki* are not mentioned.

The chapter on the temporary restoration of 1333 contains a paragraph on local governors (pp. 549-550) in which the *koku-shi* and *shu-go* appear to have been confused, and the author omits reference to the additional imposition levied by the *ji-tō*, which may have been a large cause for the unpopularity and the failure of Godaigo. It is specially gratifying to see the progress of feudalization after the fourteenth century strongly emphasized (pp. 586 ff., 619 ff.), but the gradual clarifying process of the time, by which the regimen of the steward of the estate passed into that of the baron of the fief, might well have been shown with greater clearness. The prevailing trend toward better rural administration is touched upon (p. 588) but not developed. Both these themes would have been of high value, had Mr. Murdoch arranged to write the second volume of his series after the first, instead of the reverse.

It is disappointing that the author has not thought it desirable to give more attention to the culture history of each epoch. Nothing is said of the interesting process of receiving and assimilating foreign culture as illustrated in the art relics of the Suiko and Nara periods; of the great philosophy and ritualism of Shingon; of the extremely aesthetic but almost non-moral culture of the Kyoto Court, and its imitation by the Taira. Hō-wō-dō is mentioned, but Chū-son-zhi is not, and the culture shown in the art of the two temples is buried in silence. The painted rolls of the Kamakura period, so eloquent of the manners and views of life of all classes, receive no mention. The "pictorial art" of the Ashikaga epoch is attributed to the Zen influence (pp. 621, 634), but the reader is not told that it was the landscape painting which typified the spirit of power under control that manifested itself in many other forms in the life of the nation. Nor is the deep significance in this life of

the new Buddhist sects that rose after the Kamakura age satisfactorily explained (*cf.* pp. 479, 482, 595). The reader will suspect that the author's neglect of culture history may be due to his lack of interest in it, rather than to lack of space. He calls Brinkley's respectable chapter on the Hei-an culture "flamboyant".

It is only just to refer to the great abundance throughout the volume of suggestive and acute comments on subjects of importance in Japanese history. See, for example, remarks on national psychology on pages 123-124 and 485; on Buddhist images absorbing the metallic resources of the country (p. 191); on the difference in China and Japan of the relative importance attached to the virtues of loyalty and filial piety (p. 204); on the Minamoto chiefs supplying funds for the luxury of the Fujiwara (p. 267); on the study among Japanese warriors of Chinese works on military tactics (pp. 285, 631); on the area and population of Kamakura (p. 378); on the condition of the peasant under the Ashikaga (p. 603); on the emperorship in the Onin epoch (p. 633); and on the size of Kyoto (p. 635). Mr. Murdoch also has a lively interest in personalities, and his descriptions and estimates of them are always interesting.

If some of the best parts of the work are not as convincing as they are suggestive, and if the volume is open to serious criticisms even at this stage of our knowledge, that is due to the physical impossibility for any foreigner to compass within a few years the immense and fast accumulating historical literature of Japan. Mr. Murdoch's results do not show that he has exhausted even those sources that are accessible to any enterprising student, to say nothing of the far greater volume of sources in limited editions or in manuscripts. It is evident that he has not surveyed the important works of contemporary Japanese historians on any period. Nor can it be said that such material as fell within his notice has been used with sufficient criticism; he even does not free himself from some of the legends and dogmas which have long since been discarded by Japanese. It is also difficult to understand why he does not give more bibliographical data than he does on pages 189-190, where he copies from another author. He also has incorporated without giving due credit to them results of other scholar's work, some of which had been put forward only tentatively and as a challenge for criticism and have even been modified by their authors. Mr. Murdoch undoubtedly must have reasons for this practice, for he did not resort to it in his second volume and does not follow it invariably in the present.

The somewhat rigorous criticisms of the work contained in this review attest the high respect of the reviewer for the quality of the production and his pleasure of seeing its successful publication. There have not appeared many works in English on the general history of Japan that are worthy of the name, and hardly one deserves a sober criticism more than Mr. Murdoch's two volumes. His third volume will now be awaited by many readers with much interest.



*The Persian Revolution of 1905-1909.* By EDWARD G. BROWNE, M.A., F.B.A., Sir Thomas Adams Professor of Arabic and Fellow of Pembroke College in the University of Cambridge. (Cambridge: University Press. 1910. Pp. xxvi, 470.)

MODERN Persia has certainly an enthusiastic and devoted friend in the English scholar Edward G. Browne, of Pembroke College, professor in the University of Cambridge. He has written valuable works on his travels in Iran and his life among the people, and has likewise contributed extensively to our knowledge of the history and literature of this ancient country. A new proof of his interest is the publication of an important volume on the Persian Constitution and the Revolution of 1905-1909, with documents of high value for future historians of the Land of the Shah.

Persia was the pioneer in the constitutional movement in Asia and was the first to contradict the old adage of the unchanging East, for at last "the Laws of the Medes and Persians" have seen change, and a new régime has come into being. The development of this phenomenon is traced in a thorough way in the five hundred pages that make up the book under consideration.

The beginnings of the movement may be sought far back in the reign of Nasir ad-Din Shah, the great-grandfather of the present boy shah, when a grand vizir entertained ideas that were thought to be so liberal that he paid for them at the cost of his life. The real trouble began in 1890 and 1891 when Persia became saddled with a national debt through an ill-advised scheme which had granted a tobacco monopoly to an English company. Five years later, in 1896, Shah Nasir ad-Din fell a victim to the shot of an assassin, who was seemingly inspired by a personal grudge rather than a political grievance, although the general condition of affairs may have exercised an influence upon him.

The reign of Muzaffar ad-Din, who next mounted the Peacock Throne, was marked by an ever-growing discontent on the part of the people, who were dissatisfied at the depressed financial status of the country and were urged on by the growth of public opinion, until they rose—ecclesiastical leaders sharing in the popular demonstration—and demanded to have a real voice in the government. This concession was finally made by the sick sovereign, and on August 5, 1906, the ancient land of Cyrus, Darius, and Xerxes found itself in possession of a constitution, with a national assembly inaugurated two months later, or shortly before the sovereign's death in January, 1907, and the succession of his son Muhammad Ali Shah.

The friction which began almost immediately between the new shah and the constitutional leaders, forms a story that is well known. The strained feeling became ultimately so intense that it resulted in the bombardment of the parliament by a Cossack regiment of the shah. Riot, rebellion, and revolution became rife, until at last Muhammad Ali,

after virtual abdication of the throne, was formally deposed, and replaced by his son Sultan Ahmad Riza, a lad of eleven years of age, with a regent to hold the reins of government.

The narrative of these events is consecutively told, chapter by chapter, accompanied by a presentation of original documents now accessible or specially furnished to the author by his friends in Teheran and Tabriz, and supplemented by an extensive use of material from the European press. A full account, with remarkably frank criticisms, is given of the agreement which was entered into between England and Russia in 1907 in regard to Persian affairs. In the comments here added, a particular point is justly made with respect to the manner in which this *entente* is viewed when seen through Persian eyes; and much that is instructive on the subject of the Turkish Revolution of 1908 is brought out. A series of appendixes is included to give the basic principles of the Persian Constitution and the fundamental laws that were adopted in the National Assembly, together with comprehensive translations of Persian documents and letters in some fifty pages at the close of the volume.

The value of the work is enhanced by a large number of photographs of the persons who have been most actively engaged in the entire movement, and there are added numerous other illustrations that serve to make clearer the historic story which is told. The work is one of first-hand information and of first-rate importance by an authority who may be considered in a way as better qualified than any one in the West to speak upon the subject of this eventful change in the East.

A. V. WILLIAMS JACKSON.

#### BOOKS OF AMERICAN HISTORY

*Essays in American History*. Dedicated to Frederick Jackson Turner. (New York: Henry Holt and Company. 1910. Pp. vii, 293.)

No instructor in the gentle art of historical investigation can take up this volume without a new thrill of satisfaction in his vocation; one which carries with it the hope of winning the lasting gratitude of such choice spirits as the lure of scholarship selects out of the host of students who merely touch and go. This opportunity to grapple "with hoops of steel" the student friends, who else pass on, forget, and are forgotten, is no mean reward for the hours of patient conference and helpful quest. As Professor G. S. Ford says in his graceful introduction, this volume "preserves and transmits, by its very existence, that part of a scholar's work which is hardest to measure and record—his power to kindle his spirit and his love of scholarship in other men". This power Professor Turner possesses in a degree unsurpassed by any of his contemporaries, and no one of them will have any other emotion than pleasure that this fine tribute comes to him from the enkindled hearts of his former students.

The ten essays treat of some phase of Western or Southern history, except the last two, Professor W. S. Robertson's article "The Beginnings of Spanish-American Diplomacy", and Professor P. S. Reinsch's essay entitled "Some Notes on the Study of South American History". Mr. Robertson's excellent study considers "the most significant efforts of the Spanish-American insurgents to initiate diplomatic relations with foreign nations from 1810 to 1816, with special attention to Venezuela". Mr. Reinsch, in his illuminating and suggestive comments upon the method that should be pursued in the study of South American history, points out where the true interest of South American history lies. "Any presentation which confines itself to the changing aspects of political ascendancy, to the shifting modifications of legal forms and institutions . . . must necessarily lack depths and contact with the realities of social development." The real interest will be found in a study "of the conditions imposed upon social development by the physical environment of South America". "The interaction of physical, moral, and intellectual forces is nowhere illustrated in a greater variety of aspects than in South America." Like Professor Turner's essays on Western history, this essay is a revelation of the possibilities of the subject and an inspiration for the research student.

Of the six essays in Western history, one is a brilliant interpretative article by Professor C. L. Becker with the simple, uninspiring title "Kansas". Nothing in this volume is written with such literary charm, such keen and humorous insight, and such philosophic grasp of the subject-matter. The author has cultivated Professor Turner's own field, and has reaped a new and varied harvest. Every student of Western history, every scorner of the rampant, populistic West, ought to read this charming essay.

Two of the studies in Western history deal principally with territory beyond the Mississippi. Of these, one, entitled "Some Activities of the Congregational Church West of the Mississippi", is written by Professor Lois Kimball Mathews, and is an interesting and scholarly by-product of her valuable book the *Expansion of New England*. The other, "Oregon Pioneers and American Diplomacy" by Professor Joseph Schafer, is an admirable study of the effect which the pioneer movement into the Northwest had upon the Oregon boundary dispute. The detailed knowledge of conditions in Oregon, Mr. Schafer clearly shows, "interpreted to the British as nothing else could, the attitude of the American people on this question—the government's adamant stand against concession, the impatience, not to say insolence of Congress, and the widespread disposition through the country . . . to force the issue even at the hazard of war". In one of the remaining Western history essays Professor J. A. James gives us a fuller and clearer study than we have had hitherto of the work of George Rogers Clark, after the taking of Vincennes. Another essay by Dr. S. J. Buck is a most enlightening study of "Independent Parties in the Western States, 1873–

1876". After suggesting a number of causes for their failure, he concludes "The fundamental cause for the failure of the movement, however, seems to have been . . . the innate political conservatism of the bulk of the American people." The last of these Western history studies is Professor H. C. Hockett's "Federalism and the West", which is a most interesting study of the fate of the Federalist party in the frontier states. "Its conservative and aristocratic temper . . . and its peculiarly commercial basis, unfitted it for expansion into regions where only society of a primitive agricultural type flourished." Nevertheless, "the Federalists erred in believing the societies of east and west to be permanently dissimilar. They were so only during the immaturity of the west." The two Southern history studies are "Virginia and the Presidential Succession, 1840-1844", wherein Professor C. H. Ambler studies closely the struggle in Virginia to secure the nomination of Van Buren in 1844, pointing out the reason of the failure, and a closely related study, "The Southern Whigs, 1834-1854", by Professor U. B. Phillips. Lack of space forbids us to comment upon this latter essay as it deserves, but, in brief, it contains the essence of a vast amount of intensive study, involving the plotting, county by county, of election returns, and of census studies of industrial interests. It is one of the most valuable studies in a volume wherein the scholarship is everywhere of so high a character as to make it a fitting tribute "to Frederick Jackson Turner, teacher, scholar, friend".

C. H. VAN TYNE.

*The Buccaneers in the West Indies in the XVII. Century.* By C. H. HARING. (New York: E. P. Dutton and Company. 1910. Pp. viii, 298.)

THIS is the first book to attempt critical treatment of a subject obscured by much loose writing and cheap romance. Historians of the West Indies have either been too susceptible to the picturesqueness of the buccaneers, or contented themselves with a display of civic disapproval of drunkenness and disorderly conduct. The object of this volume, according to the author's prefatory statement, is, first, to give an authentic account of the great West Indian buccaneers and pirates, and, second, "to trace the policy pursued toward them by the English and French Governments".

On the first count there is little fault to be found with the reconstruction of events. From the voluminous correspondence in the *Calendar of State Papers* between the Secretaries of State and the English governors in the Indies, supplemented by manuscripts in the Record Office and the British Museum, and by the rather scanty yield of French archives, the story is traced clearly and with a good deal of entertaining detail. Much new material—particularly for the English side of the story, which receives the lion's share of attention—has been brought to light by Mr.



Haring's research. An introductory chapter sketches briefly the history of the Indies to the beginning of the seventeenth century and explains the cumbrous machinery by which Spain tried to control the commerce of her colonies. Thereafter, the author deals successively with the three great strongholds of piracy, Tortuga, Jamaica, and Hispaniola, from which sailed the fleets that brought ruin to the rich towns of the Main.

In explaining the statecraft that underlay the long immunity of the buccaneers from punishment, Mr. Haring is somewhat general and summary. That they were encouraged by both England and France is clear, and undoubtedly the reasons concerned commerce and the defense of the colonies, but this is not getting below the surface. What accounts for the fact that the Englishmen in the Indies were forced to keep the Peace of 1670, while the Spanish broke it with impunity? Who stood behind the enterprise of the French buccaneers—merely the governors of Hispaniola, or the French West India Company, or the Grand Monarque himself? When the Spanish archives have been investigated this part of the story will be nearer complete. Mr. Haring has had access only to the printed *Colección de Documentos Inéditos*, which for the seventeenth century is little help. It is to be hoped too that more of the French official correspondence will some day be unearthed.

A few minor criticisms and objections present themselves: The author does not seem to discriminate between the expeditions of men-of-war, privateers, and pirates. If the attacks on the Main by Vice-Admiral Goodson and Captain Myngs during Cromwell's war with Spain are regarded as buccaneering, so too must be Admiral Vernon's attempts on Porto Bello and Cartagena in 1739.

Of the French buccaneers Mr. Haring says (p. 240): "They were not ordinary privateers, for they waged war without authority." But on the same page he admits: "The buccaneers almost invariably carried commissions from the governors of French Hispaniola." In which case they *were* privateers, as the word included all sailing under such commissions of reprisal, as well as actual private men-of-war. The tenths of prizes went not to the crown (p. 200) but to the lord high admiral. A quotation covering twenty-five pages from a book as well-known as Esquemeling's *Bucaniers* is a rather unnecessary sacrifice of space.

To quibble on points like these is to admit the excellence of the book. It is beyond question a scholarly and accurate handling of the most dramatic feature in the history of the Indies.

VIOLET BARBOUR.

*Acts of the Privy Council of England, Colonial Series.* Volume III., A. D. 1720-1745. Edited through the direction of the Lord President of the Council by W. L. GRANT, M.A., Professor of Colonial History in Queen's University, Canada, and James MUNRO, M.A., Beit Lecturer in Colonial History in the University of Oxford, under the general supervision of Sir ALMERIC

W. FITZROY, K.C.V.O., Clerk of the Privy Council. (London: Wyman and Sons. 1910. Pp. xiii, 903.)

THE third volume of the Acts of the Privy Council, colonial, covers the period from 1720 to 1745, though the editorial plan of throwing into sections all entries relating to a single subject has involved the inclusion of occasional extracts dating as late as 1756. As regards execution the work shows no departure from the plan adopted for the previous volume and includes the usual valuable appendixes. The necessity of completing the undertaking within the allotted number of six volumes has led to rigid condensation in some instances, and it is impossible to say, without access to the original text, how wisely this editorial privilege has been exercised. There are a few cases in which references are given to matters concerning which fuller knowledge would be welcome, as, for example, on page 581, where the committee report of July 4, 1745, on the *Clark v. Tousey* case, is mentioned but not given; on pages 608-609, where McCulloh's memorial is referred to by title only; on page 723, where an entry concerning an appeal from a decree of the Jamaica chancery court is omitted, though it contains "a long account of the case". Probably the editor has excellent reasons for these omissions, but a word of explanation would have been useful in quieting doubts. On the other hand, there appears in the volume a little that might have been omitted. The pension cases of the widows of sea-captains, whose deaths involved the mention of a colony, and the entries contained in appendix iv., which do not relate to the colonies at all, hardly seem worthy of inclusion. At most, however, they cover but three or four pages.

The value of the volume in disclosing the procedure and activities of the Council during a period when colonial affairs have not been deemed exigent is very great. By 1720 the colonial business of the Privy Council had settled down into a fairly fixed routine. It consisted of debate and consequent report on petitions and grievances, appeals and petitions for leave to appeal from colonial courts, appeals from vice-admiralty courts, colonial acts, colonial boundaries, fees, embargoes, requests for ordinance, and commissions and instructions for the governors. Little else came before the Council, as British administration was becoming largely departmental in character, and business was referred to the Board of Trade (the reports and representations from which number here little less than one hundred and fifty), the Admiralty, the Treasury, the Master General of Ordnance, the Commissioners of Customs, the Secretary at War, and the Attorney-General and Solicitor-General. The replies of these referees were generally embodied in Orders in Council, but the reader will be surprised at the frequency with which the Council as committee debated and altered these reports, sent them back for further consideration and additional information, or dispatched them to other bodies and individuals for examination and further report.

In fact, during these years the committee acted with something of the vigor of a department. The Privy Council, as such, may have been

only a registering body, but as committee it was no mere legal machine. It received references from the Council, the Secretary of State, and other sources; some of these it handed on, but many it decided on its own initiative. It called in witnesses, deponents, and counsel, heard plaintiff and defendant through their agents or lawyers, sent elsewhere, it may be, for information, but in the end made its own report to the Council. Appeals from colonial and admiralty courts, involving points of law, never went beyond the committee, and questions regarding military matters and the like were generally acted on without reference. Some of the reports of the committee are elaborate documents, and unless we believe that they were the work of the permanent staff as were many of the reports of the Board of Trade, we must conclude that the committee devoted much time and diligent attention to their consideration. It is true that the committee took its own time about the business before it; it is also true that much business apparently never got finished at all, if we are to judge from the number of cases here recorded regarding which no decision was reached; but slackness and ineffectiveness was characteristic of administration generally at this time and particularly characteristic of colonial administration. The fee system, the messenger service, the lack of departmental co-ordination, the low sense of public duty, the difficulties of communication, and the habit of giving a referee plenty of time in which to make an answer, all contributed to this end.

Appeals from colonial courts and troubles about colonial boundaries occupy much space in this volume, but of equal moment were decisions regarding colonial laws and the framing of instructions to colonial governors. It is noteworthy that the word "veto" was never used for the disallowance or repeal of colonial legislation, and it should not be used by scholars to-day. The royal act was not a veto. We notice also that some of the colonial acts were never passed upon by the Board of Trade but were considered by the committee and the crown lawyers only. The number of disallowances here entered is large, larger than is recorded in the previous volume, and it is evident that the system of repeal did not reach its full development until well on in the eighteenth century. From the entries here given it is impossible to believe that the royal disallowance was ineffective. Indeed it must have been not only effective but salutary. Regarding the instructions, we are impressed with the important part which the committee played in shaping these documents. It originated many, amended others, sent a number back to the Board of Trade for revision, accepted protests and made changes, and that, too, often despite the opinions expressed by the Board of Trade.

Perhaps the most important conclusion to be derived from the entries in this volume is the manifest powerlessness of the Privy Council in the presence of a determined resistance of the colonies. The movement toward colonial independence of the royal prerogative went steadily on. The royal mandate did not always compel obedience and the British government was not inclined to a policy of coercion. The one feature of this evidence that is most significant is the growing power of Parliament.

When Order in Council and governor's instruction prove of no avail then Parliament had to be invoked. "If [the colonists] shall neglect or refuse [his Majesty's measures] then this said governor do immediately inform his Majesty thereof that the same may be laid before the parliament of Great Britain" (p. 472). A great turning point not only in British constitutional history but in British colonial administration is indicated by these words.

CHARLES M. ANDREWS.

*The Revision and Amendment of State Constitutions.* By WALTER FAIRLEIGH DODD. (Baltimore: Johns Hopkins Press. 1910. Pp. xvii, 350.)

THIS is a very valuable monograph. It will be of great aid to all members of constitutional conventions and to every student of constitutional law. The author has stuck closely to his theme and has resisted the temptation to attract miscellaneous readers by a history of the events that caused constitutional conventions prior to the American Revolution, by any reference to the French convention, or by a description of the dramatic incidents connected with the Rhode Island Convention of 1841 and the Missouri Convention that sat for two years during our Civil War. The conclusions drawn by him are sane and conservative. He is no disciple of Judge Jameson, whose work on constitutional conventions he cites with perhaps too much respect. That book was not written from the standpoint of a judge or of a scholar. It was a political tract, originally composed to oppose certain opinions expressed in the Illinois Convention of 1862, which, it was thought, endangered the cause of the North. Although Judge Jameson and his political allies then succeeded in preventing that convention, of which he was not a member, from setting a new constitution into operation without its approval by a vote of the people, the people of other states have since then acquiesced in the exercise of such power by conventions upon ten or more different occasions, and this had been done several times before. He wished to combat the doctrine that a constitutional convention was subject to no restraint, but had the same powers as an ancient folksmeet, such as still assembles on the Isle of Man and in some Swiss cantons, or as the Parliament of Great Britain. This theory had been, until then, generally accepted, and has much support in history, and reason as well as precedent; although, of course, a state convention is necessarily subject to the limitations of the federal Constitution. (New Orleans Gas Light Company *v.* Louisiana Gas Light Company, 115 U. S., 650; this case is not cited by Mr. Dodd, who, however, has collected in a note to page 93 a few decisions of the state courts upon this point and also refers to Cooley's *Constitutional Limitations*.) The historian Bancroft and Judge Marcus Morton, when governor of Massachusetts, seem to have been of the opinion that otherwise its powers were boundless. In attacking this, Jameson, like most advocates, steered for the opposite pole and took the position that



a convention is absolutely bound by the restrictions that the state legislature chose to impose upon it.

Mr. Dodd says: "As a rule, then, constitutional conventions are subject only to the following restrictions: (1) those contained in or implied from provisions in the existing state and federal constitutions, and (2) in the absence of constitutional provisions, those derived or implied from the limited functions of conventions" (p. 92). Many would consider his doctrine too conservative.

The judicial cases upon the subject are nowhere so well collected as in Mr. Dodd's book. It is interesting to note, as a sign of the tendency of thought among the rising generation of scholars, that he is strongly opposed to the judicial usurpation by the courts of some of our states in asserting the right to act as third legislative chambers and to set aside, upon general principles, laws which they disapprove, but which clearly do not violate any constitutional inhibition.

Not the least valuable part of the book is a collection of the cases in which the people have overruled such decisions by constitutional amendments (pp. 238-240).

Should a new edition be called for, the index might well be enlarged by inserting references to the mentions in the text of Borgeaud, Judge Hand, Judge Jameson, Judge Lobingier, and the Constitution of Mexico. It seems ungracious, however, to find fault with such an excellent piece of work.

ROGER FOSTER.

*The Intimate Life of Alexander Hamilton.* Based chiefly upon Original Family Letters and other Documents, many of which have never been published. By ALLAN McLANE HAMILTON. (New York: Charles Scribner's Sons. 1910. Pp. xii, 483.)

WHETHER we admire or condemn Hamilton's ideas we must like his personality. He was one of the gifted men of his day, a genius born to greatness in whatever field he entered. He was a precocious boy who justified the promise of his youth. Ideas formed themselves readily in his mind, and he had both the industry and inclination to announce them to the public. In his earliest age they have the marks of maturity. He entered life at a time most favorable for a man of his capacity, when society was being remade and a self-made man was least likely to be embarrassed by the lack of conventionalities. And yet he was the genius of the old, not through affectation but through conviction. He believed in capable government and in a society in which conservatism ruled. He gave to the new régime that balance which it needed to restrain its tendency to experimentation, and he had the necessary ability to impose his purpose on a people who were a little too prone to ignore the permanent things of life. His activity in these lines can never be underestimated. They have many times been described in biographies and in histories.

The task of the present biographer, who is a grandson, is to describe the rich and active personality which was behind this wonderful sum of achievement. Private correspondence, the loving testimony of friends and relatives, and official records have been drawn upon for material, and the information discovered has been digested with care and arranged with a pleasing sense of proportion. The result, as may be expected, partakes somewhat of the apologetic, but it shows an honest intention to be truthful. It is hard for any man to write about Hamilton without being captivated by his genius: it is not to be expected that a relative should be aught but an admirer. We must not, therefore, be surprised to find warmest commendation for the opinions of Oliver, the Englishman, who has little appreciation for the purposes of such men as Jefferson and Gallatin, and who does not understand the native Americanism in the Republican party of the time. But all this we may forget in the faithful description of the man.

Dr. Hamilton, well known as an alienist of pre-eminent ability, proves himself a skilful narrator. His chapters deal with such subjects as Origin and Parentage; Courtship and Marriage; Hamilton as a Lawyer; As a Writer and Orator; Friends and Enemies; Building a Home; Family Life; Hamilton and Burr; and the Duel. There is also in a separate chapter a pleasing view of Mrs. Hamilton. The quotations from letters add a scholarly touch to the description and preserve the quaintness of the time in which they were written. They are not numerous enough to become wearisome, although the repetition of the prevalent epistolary affectation of style makes the reader glad no more are given. Hamilton's domestic life is the most persistent note in the volume, a wholesome picture of upper-class family happiness. The chapters on Burr and the duel are perhaps the most impressive. They describe this tragic affair not fully but with effect. Dr. Hamilton does not think it worth while to interrupt the story to explain the bearing of the New York election of 1804 on the duel. Was it because that election had a connection with the projects of the Essex Junto? On all the points which have been cited with most telling effect against Hamilton the book is mostly silent. It is not critical, or philosophical, but only a very appreciative presentation of the man's human side, sometimes diffuse and sometimes incomplete, but on the whole satisfying and creditable.

JOHN S. BASSETT.

*The National Land System, 1785-1820.* By PAYSON JACKSON TREAT, Ph.D., Assistant Professor of History, Leland Stanford Junior University. (New York: E. B. Treat and Company. 1910. Pp. xii, 486.)

FEW attempts have been made to put into compact form a history of the American federal land system. Donaldson's encyclopaedic *Public Domain* is an excellent reference work but not attractive reading. Sato's *History of the Land Question in the United States* is little more than a

sketch of the legislative aspects of the subject. These works purport to cover the fields; other writers have contributed a large number of monographs, chapters, and paragraphs, many of which are excellent. Dr. Treat has undertaken to tell in one story the history of legislation and the operation of the laws. On the main he has done the work painstakingly and well, and it will prove of great aid to teachers of social and economic history and of interest to a larger circle of readers.

The first seven chapters show a clear and logical arrangement of subject-matter. Beginning with the Origin of the Public Domain the author sketches the claims of the new states to western territory and the surrender of these claims to the central government. In chapter II. he discusses the Origin of the Federal Land System. This is one of the best chapters of the book. There is brought together in brief space all that will frequently be wanted on the genesis of the land system. However, the statement on page 35: "The delegates from the South, therefore, sought to amend the clause which provided that the land could only be sold by townships; they would make it possible for settlers to purchase smaller amounts wherever they desired." And again on page 36: "But the Southerners grasped better the spirit of the westward movement, and in insisting upon the sale of small tracts they pointed out the development of the land system for the next fifty years"—these statements give an impression which would hardly prepare the reader for an understanding of the votes repeatedly taken on size of tracts, in which the Southern members consistently and persistently voted against reductions. There is no mystery in the case; they voted for smaller tracts than townships because the townships were too large for plantations; they voted against the quarter-section and eighty-acre tracts, because they were too small for the planter, but gave the independent farmer a chance to buy so as to interfere with a thousand-acre purchase. On the other hand, the New Englander, who wanted from the start to use his township system, was early converted to the point of view of the pioneer north of the Ohio. The votes on the land question reflect the different interests of the small farmer of the North and the planter of the South. The better grasping of the spirit of the West by the Southerner must be taken to apply to a point of time, or treated with an undue portion of savoring.

The last half of the book shows a distinct lack of unity as compared to the first. The System of Surveys is a fairly familiar topic, and information on it easy of access, yet twenty pages are devoted to its elucidation. A little further treatment in chapter IV. where a sketch of surveys is given, would have been more logical and have satisfied all requirements. It seems like happening upon an introductory chapter in the middle of a story to find this detailed part of the setting well on in the plot. But the author finds his red thread again in the discussion of land grants, which he handles logically and interestingly.

The last chapter, The Early Land System and the Westward Move-

ment, is in the nature of a concluding essay and gives the author's interpretation of the results of the land policy in connection with the peopling of the West.

Such topics as "speculation", "squatters", and "pre-emption" are treated incidentally, sometimes well, sometimes not so well. On the whole the reader will be likely to get a good idea of the force of the West in these matters though mainly from the author's statements rather than from evidence presented.

Mechanically the book is attractive but far from perfect. Probably the usefulness is not impaired by the statement that "Bancroft" will be referred to as "Ban." and "Miscellaneous" as "Misc.", though the device is not always followed, but not so much can be said for the errors in citations. Out of some half-dozen references, which the writer had occasion to use, two were found to be wrong. The reference to the *Annals* on page 67 should read 429, and on page 373, note 2, 469, in place of 629 and 409 respectively.

The bibliography is well selected and the index good. Altogether the book is an acceptable contribution on an important subject.

BENJAMIN HORACE HIBBARD.

*A History of the People of the United States, from the Revolution to the Civil War.* By JOHN BACH McMASTER, University of Pennsylvania. Volume VII., 1841-1850. (New York: D. Appleton and Company. 1910. Pp. xxii, 641.)

In the decade covered by this volume the sentiment for national expansion converted the demand for slavery extension into a pivot around which all the other questions at issue, political, social, and ecclesiastical, began to revolve. In the Mexican War the slave power won its greatest victory and laid the mine that wrought its own destruction. With due appreciation of the meaning of that critical struggle for territorial expansion the author devotes to it more than half of this book.

The first two chapters, however, describe the final results of the financial panic that overthrew Van Buren in 1840. These chapters should be read with chapters LXV., LXVIII., and LXX., in volume VI. They tell the story of hard times, "shinplaster currencies", riots against banks and brokers, and the progress of bankruptcy and repudiation on the part of eight states of the Union, until the tariff of 1842 opened a new chapter of economic history.

In the chapters, four in number, depicting social conditions in all parts of the country during the forties, Professor McMaster reveals his best gifts. He is not a painter of portraits, but he is skilful in depicting the panorama of a nation or a generation. The picture here unrolled is a rich one: the beginnings of cheap newspapers and of the telegraph, the queer delusions and extraordinary growth of Millerism and still more of Mormonism, the influence of slavery upon Southern society, the various efforts for social and political betterment from Fourierism and



prison reform to the whimsical "Dorr War" and the organization of the underground railroad, the national pike with its westward-moving throngs, the formless but growing cities, and through them passing here and there the figures of alien observers, keenly aware of the discomforts of travel and the scarcity of good hotels, and noting with none too friendly eyes the crudities and inconsistencies of our people.

In such a storehouse of information, it may seem ungracious to ask for more, but surely it is to be regretted that nothing is said concerning the history of American churches, excepting the two eccentricities above mentioned. In this period the lines of ecclesiastical cleavage over slavery were deepening, but the author ignores them. In connection with the Dorr War if it was advisable to refer at all to the case of *Luther v. Borden* (p. 178) it was surely worth while to explain it. In narrating the conclusion of the Anti-Rent war in New York the author continues a story begun in the previous volume (VI. 520-524). He quotes from newspaper authority, but not from the files of the acknowledged organ of the Anti-Renters, the *Albany Freeholder* (1845-1854). Possibly the extraordinary political influence of the Anti-Rent controversy upon local politics for a generation or more is not clearly appreciated. It is somewhat surprising to find Professor McMaster referring to one of the Polk family (p. 356) as a "signer of the Mecklenburg Declaration of Independence", a phrase which is either strangely careless or strangely provocative.

The treatment of the socialist movements in this decade is surely too much abbreviated. A description of a Fourierist phalanx and a paragraph about the Icarians do less than justice to the importance of the various new social gospels. Of the seventy odd social experiments described in Noyes's *History of American Socialism*, more than half were born and flourished in this decade of the forties.

But the chief epic of the decade is well told and with unusual detail in its salient features. The curtain rises upon the drama of Texas and Mexico with a delineation of different efforts of the American giant to thrust out his boundaries: the Webster-Ashburton treaty, settling the disputes about the Maine boundary which in the Aroostook War had almost brought on hostilities with Great Britain, the new tides of emigration towards Oregon and California in 1842-1846, and the gradual accomplishment of the annexation of Texas in 1844-1845. Then follow the events of the war, the annexation of northern Mexico, with the resultant challenge to the slaveholding expansionists in the Wilmot Proviso, and the formation of a Free-Soil party.

One chapter disentangles from the fabric of Central American and British relations the threads on which the hope of an interoceanic canal was strung, and the final chapter tells the oft-repeated but always thrilling story of the rush for Californian gold.

The uncertainties of Polk and his advisers in dealing at long range with a rapidly shifting situation are clearly and admirably illustrated. It

is evident that the President hoped to buy what no Mexican government, secure or insecure, would or could sell, because it touched the national honor. Our race has never understood either the pride or the courtesy of the Spanish blood. Until we do, we shall seem to our Southern neighbors to be rude barbarians. In discussing annexation and the Wilmot Proviso controversies, Professor McMaster enters very fully, as is his wont, into analyses of Congressional debates and newspaper articles, a mode of exposition to which he is much inclined, and which is employed here with more moderation and greater skill than in some of the preceding volumes.

Between Dr. Schouler's and Professor McMaster's accounts of this epoch of national growth the dissimilarities are more marked than the resemblances. Indeed the two historians are almost complementary to each other. Although the latter has profited by the use of sources, especially with reference to Texan history, that have but recently come within reach, it is still true that the outline of facts is substantially unaltered. It is the management of the perspective that differs.

Schouler turns the light upon a procession of masterful leaders; McMaster, upon a stream of events. Schouler's pages give little impression of life in the nation. He seeks it at Washington, in the committee-rooms of the Capitol. McMaster aims to portray the obscure motions of the popular will—or wills—which politicians are eager to discover and obey. And yet to realize his aim, should not McMaster study state histories and vivify local political and social forces far more than he has done?

Schouler presents the psychology of political leaderships; McMaster the sequences of actual progress. The one is the more incisive and epigrammatic; the other more coherent and lucid. Schouler's canvas is so crowded with personalities that it runs the risk of confusion. What McMaster's picture loses in brilliancy, it gains in clearness by concentrating attention upon a few factors, the organization of emigration, the clash of social interests, the progress of diplomacy and legislation.

He makes clear what the modern judgment of the Mexican War is apt to overlook, that the popular sentiment of that day, outside of New England, justified the Mexican War as the natural outcome of the long continued cruelties and misrule of the unstable Mexican government. Mexico was condemned as a barbarous neighbor, like Spain in Cuba fifty years later, but Cuba did not, like Mexico, possess a large colony of Americans to abuse and quarrel with. Even in New England, Connecticut remembered that the Austins and their first associates were Yankee emigrants and regarded itself as a motherland of Texas. From that Yankee settlement came the effort of certain Texan Abolitionists to swing the Lone Star republic to the side of free labor and to win the friendly support of Great Britain by such a policy. The effort served chiefly to awaken and unify Southern sentiment for annexation under the guise of patriotic resistance to the covert hostility of England.

There are six maps to illustrate the Mexican War, one to show the

"Mosquito Kingdom", and one to present the railways and overland routes in the United States in 1850. All these maps, and particularly the last two, seem somewhat stinted in size and therefore are not as clear as they should be. The last one is especially inadequate. Its two topics might better have been treated separately, and other maps or diagrams to illustrate immigration and the westward movement of our frontier would not have been amiss.

CHARLES H. LEVERMORE.

*John Brown, 1800-1859: a Biography Fifty Years After.* By OSWALD GARRISON VILLARD, A.M., Litt.D. (Boston and New York: Houghton Mifflin Company. 1910. Pp. xvi, 738.)

A most painstaking, judicial, finely humane book, as might be expected from a personality in whose fibre is commingled heredity from a great business leader and one of the noblest of philanthropists. The investigation is minute and the conclusions reached in every case verified by references to authorities. Mr. Villard tags his facts with their authentications as a careful shopkeeper tags his merchandise with the price-marks. As regards every essential statement we are in no doubt as to the base on which it rests, and the bases are good. The inferences are drawn with nice discrimination; the detail is as nearly exhaustive as the most exacting reader can require; the temper, while sympathetic, is sane and impartial. We have in this portrayal a John Brown never out of his wits though his wits were very circumscribed; a man of one idea, and pursuing that idea to the death with an unflinching singleness of purpose that made him blind to all other considerations. First, he gave himself for his cause, to hardship, peril, at last to the hangman's noose. Then he gave all whom he could impress. He imposed upon his wife a life of constant sorrow; he laid his devoted children in untimely, bloody graves; he shook the foundations of his country in a warfare fraught with treason and homicide; he asked of every friend the sacrifice of substance, fair-repute, and even life. American slavery must cease, what or whoever might perish. Here was a wrong so crying and fundamental that it must be ended though a generation were involved in ruin. Even in his crimes John Brown was ever the unshrinking man—a thing which cannot be said of some associates. There are very honored names which must bear a stain from their subterfuge and desertion when the crisis pressed.

Mr. Villard does not worship his hero. He declares that if Brown was a hero, it was not on account of his lawlessness and massacres, but in spite of them. As to ability he had the gravest limitations and could never have been a great leader. His work in Kansas and Virginia was abortive, ill-planned, and ill-managed. He had not in him the proper stuff of a general. This view we question. In delineating a character the parallel is a good Plutarchian expedient, and we shall resort to this

to make our meaning clear. Nicolay and Hay, in their *Lincoln*, assert that a strong likeness exists between John Brown and Stonewall Jackson, declaring in substance that had Brown been nurtured in the South and had a West Point education he would have been Jackson's counterpart. Developing the parallel, which in the *Lincoln* is only suggested, we note that Jackson like Brown was a man of great moral earnestness. Bred in a Southern environment, he held the blacks to be upon a much lower plane than the whites, but none the less did he hold them to be his human brethren with souls to be saved. For their own good it was well they should be in a state of tutelage. While discountenancing all cruelty, he was anxious for their physical and spiritual welfare. The story of Jackson's colored Sunday School deserves to be better known. He was not less zealous and God-fearing than Brown. Many another felt the same; and it is by no means inconceivable that Brown in a Southern environment might have grown into that view. Again, as to Brown's military crudeness, a West Point training would have corrected powerfully. For both men injustice existed which must be done away. To one it was that the federal power sought to coerce against its will a sovereign state; to the other it was that the white man sought to coerce against his will the black. This sense of injustice, wrongly or rightly but most keenly felt, gave to both spirits the spur, and developments resulted which are closely analogous. Both men were belated Covenanters, holding a faith in which, though love might be the fulfilling of the law, the ruggedness of the older dispensation plainly protruded. Both were absolutely intrepid, confident in themselves, full of forceful initiative. Both had the power of dominating others, Brown perhaps the more remarkably. He impressed friends and foes, the unlettered and the very flower of American culture. The border jayhawker and Emerson at Concord alike felt his spell, the one struck with terror, the other with admiration. In ordinary life both men were failures. The hour struck for Jackson in 1861, and for two years he arrived. At first the world stood aghast at his wildness. Fierce as an old judge of Israel he could advocate the massacre of prisoners: his projects were hare-brained to the verge of lunacy. Even now critics declare that he often threw prudence to the winds and showed no judgment. But his course was one of unbroken victory. *Toujours l'audace*. He always dared and he always won. For the other leader the hour never struck: it never could have struck, for the policy of Abraham Lincoln would have been abhorrent to him. He was never captain of more than a score or two, and only in his death-hour did he emerge into his greatness. The potency that was in him was revealed, but never found its full arena. They are companion figures, towering picturesque and prophet-like in the landscape of their century. Excepting Lincoln, our time of trial offers to the biographer no worthier subjects, and in this book we have for John Brown at least a portrayal worthy of the theme.

JAMES K. HOSMER.



*The Negro in the New World.* By Sir HARRY H. JOHNSTON, G.C.M.G., K.C.B., D.Sc. (New York: Macmillan Company. 1910. Pp. xxix, 499.)

It is a reasonably safe generalization that almost any book, written by any man who has acquired eminence in any walk of life, which treats a subject with which the author's life-work is identified, must have at least some element of value. We may invoke this generalization in behalf of the volume before us.

The portions of the book which are purely descriptive are entertaining enough, and presumably sufficiently accurate. But the chapters which attempt to deal with the historical aspects of the subject are in the main so palpably one-sided, and are written with such an utter absence of any effort at judicial statement, that they have little or no value for the student and are misleading for the general reader.

Fifteen of the twenty-four chapters are devoted to a consideration of slavery and the negro in the West Indies, South America, and the United States. Nine chapters are given to the negro in the United States since emancipation.

The author has shown exceptional consideration for both reader and reviewer. In fourteen pages he has summarized his conclusions and opinions, for the benefit, he says, of those who are too busy to do more than glance at his pictures and read his preface. A careful reading of the volume shows that he has faithfully discharged his prefatory undertaking.

He considers the generality of negroes inferior "in mental development and capacity" to Europeans and Americans, and to the Eskimo, the Indian, the Japanese, the Chinese, and the natives of India and Tartary. With the exception of the face, the best types of negroes "in bodily structure are almost as beautiful" as the best European type. "Morally, the Negro is nearly on an equality with the White race, and perhaps slightly superior to the Yellow" (p. vi). The Spanish treatment of the negro was far less cruel than was that of the Dutch or Anglo-Saxon. The negro slave had a less unhappy life in Portuguese Brazil than in either North America or the British and French West Indies. While the Dutch treatment of the negro before the nineteenth century was mainly atrocious, it is now as good as under the English or French (p. vi). The present treatment of the negro who is seeking an education is much better in France and Germany than in England or the Southern States. He feels obliged to show "with what terrible cruelties" slavery was connected in the British West Indies, but considers the treatment of the negro since 1868 to have been wholly satisfactory (p. viii).

The author has also "felt it advisable" to give "an explicit account of the exceptional cruelties attending Slavery in the United States". He admits that perhaps these cruelties were not greater than in Barbados, and certainly not more outrageous than under the Dutch (p. ix).

But as he apparently accepts a certain "female fury, for whom no imagined hell is hot enough" (pp. 113-114), as fairly typical of the average Dutch slaveholder, we need not be unduly puffed up over this concession to our ante-bellum humanity. He devotes a paragraph to explaining his reason for this "raking up of embers that have ceased to glow". It is the fear that the bulk of his countrymen and the mass of his readers in North America have not realized how bad was the treatment of the negro in the Southern States throughout the slavery period (p. ix). He has certainly done his part toward enlightening them. We may illustrate his efforts in this behalf, as well as his general mental attitude, by a digression from his analysis of his text and a glance at the text itself.

He compares the "increasingly brutal" treatment of the Barbadian slave to the "lust of cruelty" which arose in the Southern States—"an expensive gratification of wild beast instincts, since after all the slave was valuable property, and it was waste of good money to maim or kill him" (p. 216). He declares that slaves in South Carolina "were almost deliberately worked to death in the pestilential rice swamps" (p. 353). "It was in South Carolina in the first quarter of the eighteenth century that life was made unbearable and short for the unfortunate African, and that, being driven to mad despair, the negroes broke out in the Charleston revolt of 1740 and attempted (small blame to them!) to slay the pitiless devils who were their masters" (p. 368). And lest the reader imagine that some improvement was gradually wrought with passing years, he tells us that "we need not waste time over the eighteenth century in drawing up our indictment against the Southern States" (p. 369).

Sir Harry apparently has but recently discovered that the greatest and most bitter controversial period in American history, 1830-1865, was marked by a flood of anti-slavery literature, but he does not stop to consider the fact that these writings most naturally reflected the tone and temper of the times. Nothing is discounted and nothing weighed. He has ransacked this literature, making no allowance for its now confessedly partizan character and purpose, and parades his gruesome finds before a twentieth-century audience as counts in his indictment of Southern life, customs, character, and morals. He accepts the literalness of ancient colonial statutory verbiage, perfunctorily brought down in the letter long after the spirit was dead, as proof conclusive of "Southern barbarism". Still speaking of South Carolina, he tells us that "In this barbarous State (as it must have been until the conclusion of the American Civil War) for some offenses even white women were to be publicly whipped after being branded with a red hot iron, whereas men only received the branding" (p. 370).

He says: "The steady perusal of the many books and pamphlets published between 1830 and 1865, dealing with the maltreatment of slaves in the Southern States, as well as the speeches made in Congress by

Charles Sumner and others, leaves even the hardened reader and the cynical with a feeling of nausea, perhaps even with a desire for some posthumous revenge on the perpetrators of this Outrage on Humanity, worse than anything recorded in the nineteenth century of the Turk in Europe or the European in Congoland" (p. 371). Apparently the South's keenest pleasure was that of witnessing the torturing of slaves (p. 377). Of course this had its effect on the white population, and "manners, morals and speech were exceedingly coarse."

"White children and young women were accustomed to such sights, such indecencies of speech and action as must have left them with no ignorance of the existence of filthy and refined sensuality. So crudely indecent in fact were the conditions of slave life that the slightly veiled concupiscence yet comparative lack of prurience in the eighteenth-century British and French West Indies—still more the grave Spanish propriety in clothing and personal demeanour in public life—seem positively a glimpse of wholesomeness compared to the condition of South Carolina, Georgia, Northern Alabama, Mississippi, Texas, and Northern Louisiana in the first sixty years of the nineteenth century" (p. 379). He reproduces a statement that "The talents of the South all turn into two channels, politics and sensuality" (p. 380).

If patience and space permitted it, such quotations could be multiplied a hundred times, to say nothing of numberless petty expressions which can be accounted for by nothing less than an obsession of jaundice toward everything in the remotest degree associated with the ante-bellum South and its people.

The chief advice given the modern negro by the author is to "make plenty of money". He places a high estimate upon this useful adjunct of civilization. "Money solves all human difficulties. It will buy you love and respect, power and social standing" (p. xi). He seems quite well satisfied, on the whole, with the progress made along this line by the descendants of those who managed to survive the ordeal of Southern slavery. But he is not at all pleased with the light way in which the South was let off after the Civil War, nor with the results of Reconstruction. He thinks that so slight has been the retribution to the South, "in comparison with its Slavery record", that future historians will either "think there is a chapter missing somewhere; or be more than ever inclined to desert the old-fashioned view of God's judgments" (pp. 384, 385).

ALFRED HOLT STONE.

*The Interest of America in International Conditions.* By A. T. MAHAN, D.C.L., LL.D., Captain, United States Navy. (Boston: Little, Brown, and Company. 1910. Pp. 212.)

THIS work of Captain Mahan is one of deep interest and of great suggestiveness. He prepares us for his general discussion of the present

relations of nations by tracing some of the consequences in the past of the shifting of the balance of power from time to time and of the existence of the European Concert.

Entering upon his consideration of the present situation in Europe with these facts in mind, he makes a fine analysis of the factors in the development of the strength of Germany. He shows how from a condition of weakness due to the division into small states and the friction between them the empire has simultaneously and rapidly developed its industrial, political, and military power, its spirit of loyalty, its sense of unity, and its ambition to be the leading European state. He contrasts the willingness of the German people to submit to rigorous governmental control with the independence and individualism of the citizens of England and of the United States, and indicates their consequent readiness to respond to the severest military demands and to submit to most burdensome taxation for the construction of a great navy. Meanwhile common interests in their relations to other states have cemented a close military union between the empire and Austria-Hungary. Railways running to every frontier have made easy their common defense on interior lines against foes from any direction.

The strong and rapidly growing German navy, the immense army behind it, possibly to be supported by that of Austria, and the commercial enterprise of German merchants and manufacturers, which is making itself felt in all the markets of the world, in competition especially with English trade, naturally cause great sensitiveness in Great Britain. This has called forth sharp expressions from the English, which has led to recrimination in Germany. "We will not permit equality with other Powers to be taken from us", said the late Chancellor Bülow, "we will not allow the right to speak like them in the world to be contested. We have become a Great Power and with God's help we hope so to remain."

Both parties in Great Britain agree that the German navy must be watched and held in the North Sea. Hence the British fleets in the Mediterranean and in Asiatic waters are greatly reduced to strengthen the home fleet, which is the only check on the German navy.

It is obvious that the Asiatic situation has greatly affected the balance of power in Europe. The author thinks Great Britain was perhaps unwise in allowing Russia to be crushed by Japan, and thus relieving Germany from needing vigilance on her eastern frontier.

Captain Mahan sets forth with emphasis that the United States, upholding the Monroe Doctrine in America, and the Open Door in China, especially the latter, is affected by the European fluctuations of the balance of power, since the two great navies are drawn away from the Pacific to the vicinity of the North Sea. While there seems no present disposition in Europe to interfere with the Monroe Doctrine, we cannot say how strongly we may need to guard the Open Door for the free access to Oriental markets and the opportunity for desirable financial operations in the East. Whether the treaty of last July between Russia



and Japan, who by reason of rival interests in the Far East do not love each other, means serious obstacles for us in Manchuria is not yet quite apparent.

But while our Atlantic coast appears to be reasonably secure, the Pacific Ocean seems now to be left in the hands of Japan and the United States. Captain Mahan does not expressly say whether in his opinion any danger to us is imminent from that fact, but he does point out that our Pacific coast is the most exposed part of our territory.

In all his expositions of the situation in which nations now find themselves Captain Mahan takes pains to say that the most delicate and complicated relations do not necessarily mean war. But he points out in a masterly way the facts that enable us to understand how wise must be the statesmanship, which in circumstances easily conceivable can perform the difficult task of avoiding it. The book deserves the careful attention of every student of current history.

#### MINOR NOTICES

*Quellenkunde zur Weltgeschichte: Ein Handbuch.* Unter Mitwirkung von Dr. Adolf Hofmeister, Privatdozent an der Universität Berlin, und Dr. Rudolf Stübe, Oberlehrer in Leipzig, bearbeitet und herausgegeben von Dr. Paul Herre, Privatdozent an der Universität Leipzig. (Leipzig, Dieterich, 1910, pp. xii, 400.) This volume represents an attempt on the part of its authors to present a bibliography of universal history—a work such as Langlois in his *Manuel de Bibliographie Historique* (1896, p. 98) called “mongrel, neither entirely elementary nor entirely scientific”. Notwithstanding this condemnation it must be acknowledged that a work such as this is extremely useful. With the veritable flood of historical productions there is needed a book which will give the ordinary reader a few indications as to what are considered some of the best works on a historical topic in which he may be interested. Even the scholar will find such a bibliography an excellent starting-point, and the college student, who is not specializing in history, will find it answering most of his needs.

This work is compiled from the German point of view, much the greatest number of treatises cited being German and the sections devoted to German history being more elaborate than those dealing with other countries. Works in languages other than Latin and those of Germanic and Romance origin are not cited.

In arrangement the work is patterned after Dahlmann-Waitz. No critical estimates of books are attempted except in so far as large type is used for the important works. The four large divisions: Universal, Ancient, Medieval, and Modern history are subdivided into a general survey and smaller chronological periods, and these in turn are divided by countries. Marginal indices for the latter show whether the titles are “sources”, “political”, “constitutional”, “industrial”, “religious”, *et*

*cetera*. Cross-references are given to works cited before or after. A good table of contents precedes and an excellent author-index follows the work. In all there are 3923 titles, but this would be largely increased if all the minor titles were numbered.

Every user will find that there are works which he would have included and many which he would have left out, particularly those which seem to be put in merely because they are in a series. Some noticeable weaknesses are the portion dealing with the English Industrial Revolution, the absolute ignoring of all French works on palaeography, and the omission of works like those of Lowell and Dupriez on European governments.

JAMES SULLIVAN.

*The Sea-Kings of Crete*. By Rev. James Baikie, F.R.A.S. (London, Adam and Charles Black, 1910, pp. xiv, 274.) If a taking title be half the battle, this book should succeed. It suggests romantic possibilities; and the promise, on the whole, is not badly kept. It is, perhaps, the best book for the lay reader who would acquaint himself with the main results of the marvellous work carried on in Crete in the decade just closed; or for the ordinary traveller who would "do" Minoan Crete in short order.

The value of the book is best felt by one who, like the present writer, has twice visited Crete with no such guide. Indeed, the Crete he first saw in 1899 had nothing prehistoric to show save Evans's seal-stones, the Dictæan Cave, and a few blocks of stone sticking out of a hillside at Knossos. Six years later he found those blocks become a six-acre four-story palace uncovered by Evans's spade; and a good part of three days even with the guidance of Evans himself and Dörpfeld hardly sufficed to thread the mazes of the Labyrinth. And now that the Labyrinth has grown more intricate with each season's digging, and Phaestos and Hagia Triada and Gournia and other prehistoric seats have given up their secrets, a comprehensive clue to Minoan Crete is much needed. For that we should have looked to Evans himself, but, instead of proceeding to a definitive general work, he has chosen to confine himself for the present to one phase of it and the first installment of his monumental *Scripta Minoa* appeared in 1909.

Meantime, we have had in rapid succession Mosso's *The Palaces of Crete* (1906), Burrows's *Discoveries in Crete* (1907), and the Hawes's *Crete the Forerunner of Greece* (1909). In point of authority, Mr. Baikie is not in the same class with any of these, but he has at least seen Crete and carefully exploited Evans's voluminous reports and the main literature of the subject. With the material well in hand, he has told his story vividly and sympathetically. After preparing the way with chapters on the Legends, the Homeric Civilization, and Schliemann and his Work, he discusses the Palace of Broad Knossos (chs. iv., v.), Phaestos, Hagia Triada, and Eastern Crete (ch. vi.); Crete and Egypt (ch. vii.); the Destroyers (ch. viii.); the Periods of Minoan Culture

(ch. ix.); Life under the Sea-Kings (ch. x.); and Letters and Religion (ch. xi.). Some of these chapters (notably vii., viii., x., xi.) yield vivid pictures of Minoan life; and the author does not blink the paradoxes of the Minoan revelation. "Samson made sport for his Cretan captors" and "the great champion whom David met and slew in the vale of Elah was a Cretan", as was his royal body-guard and its faithful captain, Ittai of Gath. So "almost certainly" Plato's "wonderful island State . . . was indeed Minoan Crete, and the men of the Lost Atlantis whose portraits Proclus saw in Egypt were none other than the Kephtiu of the tombs of Sen-mut and Rekh-ma-ra".

The book is sumptuously illustrated (32 full-page photographs) but strangely fails to give any palace plans. One misses too a fuller account and reproduction of the Phaestos Disk, already unriddled in a popular magazine.

J. IRVING MANATT.

*Forschungen zur Geschichte des ausgehenden Fünften und des Vierten Jahrhunderts.* Von Ulrich Kahrstedt. (Berlin, Weidmann, 1910, pp. 282.) We have here a doctor's dissertation and a group of seminary reports. They are dedicated to Eduard Meyer. For their kind they are uncommonly good and reveal a firm grasp of the sources and problems of Greek history during the fourth century B. C. A large number of additions to our knowledge is made. Kahrstedt has an especial knack for handling chronological relations, and in his thesis he has laid the foundations for a new synthesis of general history between 355 and 340 B. C. This he attempts to make himself, but, though he combines his materials deftly and with good historical sense, to me at least his conclusion does not appear to issue inevitably from his premises. Demosthenes he represents as a deliberate agent of Artaxerxes Ochus—playing the diplomatic game with skill, intelligence, and, on the whole, success, but without loyalty to the interests of Athens or of Greece. If that were the case, and both Philip and Aeschines knew it, as Kahrstedt alleges, how different would have been the tenor of the oration *Against Ctesiphon*? The policy advocated by Demosthenes in regard to Philip is intelligible throughout on the theory that he sought to preserve for Athens the largest possible amount of liberty and power. That he made mistakes, particularly in his estimate of the strength and intentions of Philip, I do not deny, and that his course benefited Persia, I cheerfully concede, but that he was a traitor seems to me incredible and still unproven. That Kahrstedt has established his point—that the Spartan admirals entered upon office at the fall equinox and not at the summer solstice—is granted. On the other hand, his treatment of the symmory question, despite a number of good remarks, is as a whole unacceptable. To me it is unthinkable that *τίμημα* simply equals *οὐσία*. In that case the total wealth of Athens in 378 B. C. was but 5750 talents. How then could Eubulus have collected annually 400 (600), Lycurgus 1200, talents in

taxes over and above the yield of the *leiturgies*? No state could take yearly 10 or 20 per cent. of its entire evaluation. Had the Athenians possessed only 5750 talents worth of property of all kinds their total income must have amounted to much less than their public revenues. The thought is monstrous. Kahrstedt has some very good ideas about the *coup d'état* of 411 B. C., but I am far from convinced that the documents in Aristotle's *Constitution of Athens*, 30-31, are forgeries. His omission throughout of the worse than useless Greek accents deserves all praise; his proof-reading none whatever.

WILLIAM SCOTT FERGUSON.

*Du Rôle des Tribuns de la Plèbe en Procédure Civile.* Par Eugène Lefèvre, Docteur en Droit, Licencié ès Lettres, Élève de l'École des Hautes-Études. (Paris, Arthur Rousseau, 1910, pp. 285.) Hitherto we have had no systematic study of that phase of the tribune's activity which is discussed here. This book not only fills this gap, but fills it in an adequate way. The qualities which recommend it particularly to the reader are the judicial attitude of the author and the clarity of his style. Positive conclusions on many points cannot be reached because of the paucity of evidence, but the main lines of development are traced with reasonable certainty. The treatment is historical and naturally divides itself into three periods, covering the use made by the tribune of his veto power in civil actions before the Lex Aebutia (149-126 B. C.), which tended to substitute the formulary process for the *legis actio*, conditions after the passage of that law, and procedure under the principate. In consequence of the change which this law introduced the magistrate acquired a larger discretion in the exercise of his judicial functions, and the more frequent use made by the tribune of his veto power in the second period was a natural concomitant of this development. The tribune's right of intercession in civil actions continues unimpaired into the imperial period, except that the movement to check certain abuses in the exercise of it, which began with Sulla's dictatorship, is still under way in the early empire. With the establishment of the principate the right of appeal in civil cases appears and develops by the side of the intercession down to the third century, when the tribunate loses its significance. In opposition to the view held by Mommsen and others, Dr. Lefèvre thinks the evidence insufficient to prove that the right of appeal developed out of the tribune's veto power. In fact the different domains which these two processes occupied and the different results which they accomplished seem to disprove the hypothesis. The negative conclusion which the author reaches on this point is an illustration of the sanity of judgment which characterizes the entire work.

FRANK FROST ABBOTT.

*Life in the Roman World of Nero and St. Paul.* By T. G. Tucker, Litt.D., Professor of Classical Philology in the University of Melbourne.



(New York, The Macmillan Company, 1910, pp. xix, 453.) This volume, though by no means epoch-making, will meet a cordial reception from the reading public. The author has already issued a *Life in Ancient Athens* which has achieved a marked success, and now in a greater compass he has endeavored to prepare a similar work on Rome. His avowed aim has been "to make the unlearned public feel interest in ancient life and thought"; and measured by this standard the work must be pronounced as reaching its goal despite considerable unevenness in execution. Four hundred and forty-nine pages are no very ample space wherein to describe the entire society, polity, and economic condition of the world of 60 A. D. On the whole more would have been accomplished by courageously omitting the inadequate chapters on the Imperial System, the Army, the Religion, etc., and concentrating strictly upon the private antiquities.

Dr. Tucker follows careful guides, and his opinions are almost always sound if not always very striking. In fact many chapters bear the evidence of a close though commendable companionship with Friedlaender and Marquardt. The entire omission of any kind of foot-notes is, considering the audience, an admirable feature and worthy of imitation. Taking the book in its entirety, it is not likely to supplant any of the existing works on the subject, with the possible exception of the old antiquated translation of Becker's *Gallus*, and it will bring little that is new to the advanced scholar. The style, however, is eminently readable, and it will prove most interesting as supplementary work for the high school and college freshman Latin student. It ought surely to find its way into all educational libraries. The illustrations are numerous, well-chosen, and truly helpful to the text.

WILLIAM STEARNS DAVIS.

*Transactions of the Royal Historical Society*, Third Series, volume IV. (London, the Society, 1910, pp. vii, 174, 30.) This volume, thinner than most of its predecessors, contains in fact but 160 pages of text. Besides the presidential address of Archdeacon Cunningham, devoted mainly to consideration of Lord Bacon's ideas respecting history and to the application of them to modern inquiries, the book contains seven papers read before the society by its members. Mr. I. S. Leadam offers a competent but compressed study of the finance of Lord Treasurer Godolphin, Mr. Hubert Hall a statement of the sources for the history of Sir Robert Walpole's financial administration. The late Mr. L. W. Vernon Harcourt suggests a plausible solution of the old puzzle respecting Shakespeare's fusion of Sir John Oldcastle and Sir John Falstaff or Fastolf, the writer having discovered a Sir John Fastolf of Nacton who is earlier than Sir John of Caister the general, and whose story has relations to that of Prince Hal and Chief Justice Gascoigne. Mr. R. A. Roberts, secretary to the Historical Manuscripts Commission, describes the history and operations of that commission. Under the title, The

Duc de Choiseul and the Invasion of England, 1768-1770, Miss Margaret C. Morison describes the secret reports respecting the possibilities of such invasion which Choiseul obtained from two emissaries, Colonel Grant of Blairfindy and Lieutenant-Colonel Beville—parts of the same scheme of spying with which American students are familiar in the case of the reports made to Choiseul respecting American conditions by Johann Kalb. Out of the estate book of Henry de Bray of Harlestone in Northamptonshire, 1289-1340, Miss Dorothy Willis develops an interesting picture of village conditions at the time. Finally Miss M. D. Gordon studies certain questions regarding ship-money under Charles I.—its assessment, collection, and amount.

*L'Immunité Franque.* Par Maurice Kroell, Docteur en Droit. (Paris, Arthur Rousseau, 1910, pp. xxiii, 363.) A painstaking study of the immunity—that ill-understood, political institution which proved such a potent factor in making feudal society—has long been needed. Fustel de Coulanges was never as brilliant in constructing feudal origins as in upsetting extreme "Germanist" contentions; he guessed a good deal, and used documents whose spurious character has now been established. And the treatises of Waitz, Brunner, and Esmein are too general to convey a clear-cut impression of the immunity itself. It has remained for one of Professor Esmein's students to supply the need.

M. Kroell takes us back to the fourth and fifth centuries in order to indicate the tendency of the Roman emperors to exempt not only their own personal estates but also the private domains of various lay and ecclesiastical magnates from the jurisdiction of the regular provincial officials. This condition the Franks found and adopted upon entering the empire; and their kings, in order to ensure the loyalty of the foremost chieftains, began to issue formal prohibitions to the royal officers against entering the immune lands. Thus in the Merovingian period the immune proprietor becomes almost independent, although his freemen and serfs owe the king military service, and in some regions he continues to pay taxes. The Merovingian immunity is "un privilège anarchique, accordé par la royauté à des *potentes* laïcs ou ecclésiastiques en vue de s'assurer leur fidélité". On the other hand, the Carolingian immunity, according to the author, is essentially different. Charlemagne conceived of it as a useful method of organization for ecclesiastical lands, and he and his successors, while extending it over their vast empire and granting new powers to the proprietors, tried to make the immunity a royal institution, for a time with success.

The greater part of the work is admirably clear, accurate, and convincing. There are important chapters on the life of the people upon immune estates and on the privileges of the proprietors—financial, judicial, and military—as complete doubtless as the fragmentary character of the sources would allow. Perhaps to some of us the very sharp line drawn between the Merovingian and Carolingian periods will seem a

sacrifice to too great clearness, and the closing section, which treats of the disappearance of the immunity under the early Capetians and the most frequent merging of the old immune estate into the ecclesiastical allod, should be more detailed. Even in the latter matter, however, the book is a distinct contribution to the history of feudal society.

There are full bibliographies of primary and secondary sources, a map indicating the bishoprics and abbeys which were immune under Charlemagne, and convenient lists not only of some 223 authentic charters extending from Dagobert (635) to Lothaire (839) but also of 64 spurious diplomas.

CARLTON H. HAYES.

*A Manual of English Church History.* By the Rev. Charles Hole, B.A., formerly Fellow and Lecturer in Ecclesiastical History at King's College, London. With a preface by the Very Rev. Henry Wace, D.D., Dean of Canterbury. (London, Longmans, Green, and Company, 1910, pp. vii, 494.) This is a book of very uneven merit. The sections on the Reformation, about a third of the whole, are the best. Here the author deals with a limited period, easily grasped as a whole and in which the divisions by reigns correspond with the natural divisions of the subject. In the sections on the Hanoverian Church the order is confused, the thread repeatedly broken, and the treatment often falls into what are little better than poorly connected sketches. In spite of its awkward arrangement, the book has many good points. It is supplied with abundant references to sources and literature. The author was familiar with the authorities and wrote with his knowledge well in hand. He had spent a long time upon the topic as a diligent student and he wrote his book after many years of lecturing upon English church history. This the book shows clearly and the reader feels at every turn. Unfortunately he also feels that the author views the past through the glasses of a party in the modern Church of England. Although it can be said that his personal position never materially distorts his perspective, it constantly colors his language. When he deals with the Church in the Heptarchy the reader easily sees what sort of ritual would be preferred by him in the twentieth century. But nowhere have his party principles led him to manipulate facts or to swerve from good faith. In this respect the first impression of language is unfortunate and stands in the way of the book's usefulness. There are in it many excellent summaries and numerous clear-cut statements and explanations. But the book lacks the form, and is too bristling with facts, to be acceptable to the average reader, and it is without that careful arrangement necessary to be highly profitable as a text-book or manual. It is full of information, especially in the modern period, yet not full enough to be a useful book of reference. It might be used to most advantage in connection with a more orderly and well-balanced treatment of the history, and its careful statements would throw needed light upon books better in form but of less sub-

stance. One cannot help regretting that the author had not subjected the book to a severe editor and written with the benefit of his criticism.

J. C. AYER, JR.

*Die Kulturwerte der Deutschen Literatur des Mittelalters.* Von Kuno Francke. (Berlin, Weidmann, 1910, pp. xiv, 293.) This book is a restatement, with many welcome and suggestive additions, of the author's *Social Forces in German Literature* which appeared in 1896 and which has met with such deserved success. As in the older work, Professor Francke starts with the conviction that "the prime motive power of all progress . . . is the continual struggle between individualistic and collectivistic tendencies."

Ch. I., "Das Zeitalter der Völkerwanderung", traces the changes of character in the Germanic tribes during the migratory period in the direction of intense individualism, a change most vividly apparent in persons like the Merovingian queens Fredegonde and Brunichild.

Ch. II., "Die Entwicklung der Feudal-Theokratischen Gesellschaft", depicts the conflict between Church and State, and the consequent struggle between ecclesiastical and mundane ideas in all the arts of the time, with the one exception of architecture. The discussion of the literature of the period from the *Heliand* to the *Carmina Burana* is illuminated by very happy references to later phenomena. So the consummate art with which Dürer and Bach blended national feeling with Christian ideals is happily contrasted with the *Heliand's* inability to assimilate the spirit of Christianity and with Otfried's mechanical method.

Ch. III., "Die Blüte Ritterlicher Kultur", emphasizes the vitality of the institutions of papacy and empire as binding influences on the individualism of the society of the twelfth and thirteenth centuries. Significant here is the author's insistence that in the best exemplars of the poetry and sculpture of the time—as for instance in the complex character of Gudrun or in the figures on the Cathedral of Naumburg—discipline acts as a mellowing and not as a stifling influence. Towards the end of the period, however, social discipline had become empty mockery, as appears in the cynical defiance of the moral ideals of knighthood in Gottfried's *Tristram and Isolde*. This dissolution of the principles of chivalric society prepares us for the advent of a new class as the bearers of German civilization.

In ch. IV., "Die Kultur des Bürgertums", the rise into power of this class is admirably sketched. Welcome here is the full discussion, enlivened by interesting parallels and contrasts, of preachers and mystics—phenomena usually passed over slightly in histories of literature. The interpretation of the Volkslied shows excellent insight into the ineffable charm of that form of poetry. The brilliant closing paragraphs significantly introduce Holbein and Holbein in juxtaposition with the important



literary representatives of the period. We look forward with anticipation to the appearance of the remaining volumes of the work.

CAMILLO VON KLENZE.

*The Frankpledge System.* By William Alfred Morris, Ph.D., Assistant Professor of European History in the University of Washington. (New York, Longmans, Green, and Company, 1910, pp. xii, 194.) In this scholarly essay, Dr. Morris has presented to us a very interesting study of an important subject and a splendid illustration of the scientific use of the sources. It is significant that this work is dedicated to the memory of Professor Charles Gross. It will be some time before work can be done on any subject in medieval English constitutional history which will not owe much of its inspiration to that great Harvard scholar, whose conscientious accuracy, profound learning, untiring zeal, and friendly encouragement have influenced not only the students who have been so unfortunate as to have known him, but all students of the subject.

The treatment is outlined briefly in the titles of the five chapters: Origin; Distribution; Organization and Functions; The View; Decline and Results. The appendix contains a royal writ for holding view of frankpledge in 1218; oath of persons put under frankpledge in London in the fourteenth century; tithing-list at Harston, Cambridgeshire, in the reign of Richard II.; list of works cited.

Frankpledge is defined as a system of compulsory, collective bail, fixed for individuals as a safeguard in case of crime. It is not mere suretyship. Dr. Morris says very decidedly, and we think rightly: "Any reference to a frankpledge system before the Norman Conquest must be regarded as misleading." This is significant of the changed attitude of students in emphasizing the vast changes wrought by the Norman Conquest. Later, the writer speaks of the fourteenth century as "after two hundred and fifty years of radical reorganization of English institutions".

Dr. Morris has dealt with many more important questions than that of origin. He has made a most important contribution in pointing out the danger of putting too much trust in the statements of the law-writers without correcting them by the records.

Much light is thrown on representation, suitors, relation of freemen and villeins, etc. We think "vill" is a better term than township, and we wish Dr. Morris had spoken more definitely of the representation of a vill which is also a tithing, and of the relation of view of frankpledge to the two "Great Lawdays of the Hundred".

Frankpledge undoubtedly formed one of the strong influences in the social and political environment of the men of the vill. It also shows the importance of neighborhood and illustrates one of the many ways in which that relation was used in early jurisdiction.

It was not maintained uniformly throughout England. It began to

decline in the reign of Edward I., and the quarterly sessions of the justices of the peace, instituted in 1363, took away what life was left, though some survivals may be found in the nineteenth century.

CHARLES L. WELLS.

*Comptes de la Ville d'Ypres de 1267 à 1329.* Publiés par G. des Marez, Archiviste de la Ville de Bruxelles, et E. de Sagher, Archiviste de la Ville d'Ypres. Tome premier. [Académie Royale de Belgique, Commission Royale d'Histoire.] (Bruxelles. P. Imbreghts, 1909, pp. xxiii, 627.) The accounts of Ypres are probably the oldest and are certainly among the most important of town accounts to be found for the old provinces of Belgium. The first is of 1267-1268; then there are a good many fragments relating to years between 1276 and 1304; and from 1304 the series is fairly regular, with gaps, however, here and there in the fourteenth century and more frequently in the fifteenth. They are not complete enough, unfortunately, to give full knowledge either of the receipts or of the expenditures of the city. They contain, however, precise information on a great variety of matters, most commonly: revenue from fines, from charges upon property taken out of the city, from payments for acquisition of burgessy or recovery of rights thereof; outlay for rents or annuities arising from expropriations by the city, for salaries, for pleas before church courts, for travelling and other expenses of officers or agents of the city, for gifts out of courtesy or obligation to various persons, for police service and public works. Now and then appear exceptional sources of expense, like war, or burial of the poor dying in time of pest. Such documents will contribute much to the history of Ypres; particularly, they make possible a study of its finances like that by Espinas on Douai or by Knipping on Cologne. They will furnish many concrete bits on the life of townsfolk in the Middle Ages and later. They will help to clarify the history of the county of Flanders, whose fortunes were so intimately bound up with Ypres among other towns. Also, they will aid in tracking those international interests in which the Netherlanders of that time were involved.

This first volume makes these documents available only to 1316. Two more volumes, completing the first installment, are to reach only to the close of the democratic régime of 1325-1329. This is indeed a slow pace. It seems due, however, at least chiefly, to the fullness with which the material is given and to the care with which the editors are doing their part. Whoever gleans here will find his advantage ministered to in every reasonable way. Indeed the whole of the third volume of this installment is to be devoted to statistical tables, lists of certain officers, a glossary, an elaborate index, and possibly some *pièces justificatives*.

E. W. Dow.

*A Suffolk Hundred in the Year 1283.* The Assessment of the Hundred of Blackbourne for a Tax of One Thirtieth, and a Return showing the Land Tenure there. Edited by Edgar Powell. (Cambridge, University Press, 1910, pp. xxxiv, 121.) In this handsome volume Mr. Powell has edited and analyzed with scholarly care some documents illustrative of economic conditions in the hundred of Blackbourne, county of Suffolk, near the close of the thirteenth century. The principal document is a subsidy roll of unusual interest since it records not only the name of each taxable and the total money value of his property, but also states the quantity and money value of the different kinds of grain and the number and money value of the different kinds of stock constituting that property. Moreover, from contemporary records the editor has been able to determine the status of a number of the people named in the lists. A second document, derived from a *quo warranto* return, gives details of the tenures of the free lands held in the hundred from the Abbot of Bury St. Edmunds. Extents of four manors, dating from the year 1302 and describing the services and payments due from the villein tenements, are of considerable interest. In notes on the several villages of the hundred Mr. Powell summarizes the contents of many nearly contemporaneous *inquisitions post mortem*, manorial records, references in assize rolls, etc.; and for purposes of comparison gives statistics of the present population, acreage, and number of inhabited houses.

*Le Domostroï (Ménagier Russe du XVI<sup>e</sup> Siècle).* Traduction et Commentaire. Par E. Duchesne. (Paris, Alphonse Picard et Fils, 1910, pp. 168.) This is one of the many excellent contributions which French scholars have made to the study of Russian history. It places in the hands of students not reading Russian a well-edited text of an invaluable, and, at the same time, highly interesting source for the sixteenth century. In addition to a translation of the text, M. Duchesne gives a brief summary of the controversy occasioned by the existence of two versions of the Domostroï: the Konchine or short version discovered in 1848, and the longer edition belonging to the Historical Society of Moscow. He reviews the arguments of I. S. Nekrasov in support of the more probable authenticity of the latter, but agrees with A. V. Mikhailov against Nekrasov in favor of the shorter text as being closer to the unknown original. He accepts the prevalent opinion, which assigns the original compilation of the treatise to Silvester. As to its historical value, he disagrees with K. S. Aksakov who believes it a mere imaginary picture, and holds with A. Afanasiev and Porfiriev that it reflects faithfully the economy of the average well-to-do household in the Moscow of the period.

If any comment might be made upon the text which M. Duchesne adopts, it would be upon the freedom with which he has omitted here and there passages in his judgment unimportant. This exercise of

censorship is perhaps to be regretted in view of the desirability of a complete text. Would one omit from an edition of *The Babe's Boke* of 1475, for example, the quaint etiquette about caring for the nose, because it might seem, to use M. Duchesne's language, "peu décente"? All the omissions, however, are duly acknowledged in the notes; and these in turn are a useful supplement to the text. A list of the various manuscripts of the *Domostroi*, given among the appendixes, and a table of variations by chapters, are serviceable in following the controversy over the long and short versions.

C. E. FRYER.

*Commercial Relations of England and Scotland, 1603-1707.* By Theodora Keith, B.A. With a preface by W. Cunningham, D.D., Archdeacon of Ely. (Cambridge, University Press, 1910, pp. xxiii, 210.) This little volume forms the first of a projected series of *Girton College Studies*. Based upon an intelligent and painstaking use of original materials and an adequate reading of the secondary literature, it is a real contribution to an important aspect of the history of England and Scotland in the seventeenth century. While such subjects as Scottish trade relations with England, Ireland, the Colonies, and the Continent, attempts at settlement in the New World, and the growth of manufactures, are handled with reasonable fullness, the main interest centres about the effect of the union of the crowns on these questions and their effect in turn upon the later incorporating union of 1707. The fact is established that commercial considerations played a greater rôle in keeping the two countries apart during most of the seventeenth century than has been generally recognized; the unsatisfactory nature of the union under the Commonwealth is made clear; and the new conditions after the Restoration are emphasized which made the closer union a necessity, albeit a bitter one to many.

Miss Keith in order to enforce the leading points of her thesis has indulged in overmuch repetition, and in her copious extracts from the sources she has preserved the archaic spelling, which, while it helps to preserve the quaint flavor of the original, adds to the difficulty of the reader. Archdeacon Cunningham contributes an appreciative preface in which he brings out the value of Miss Keith's contribution; but he is a bit optimistic in thinking that, but for commercial difficulties, a religious adjustment might have been brought about between the two countries. The theocratic element in Scotch Presbyterianism was something that the majority of Englishmen could never be brought to accept. There is a full list of authorities, but, alas, no index.

A. L. C.

*The First Duke and Duchess of Newcastle-upon-Tyne.* By the author of *A Life of Sir Kenelm Digby*. (New York, Longmans, Green, and Company, 1910, pp. xiii, 287.) It is not easy to say what one likes about



a volume which has for its preface the comprehensive disclaimer that "The compiler of these pages does not labour under the delusion that he has written a book", but from his study arm-chair has placed in the reader's hands passages from other volumes and manuscripts which throw light on the lives of the first Duke and Duchess of Newcastle. If, indeed, he had been content with this and not added the "few remarks, either of introduction or retrospection", which unfortunately cannot be, as he says, "skipped at will", his work might have been rated, perhaps, higher than it now will be. The worthy pair whose lives he here depicts no doubt deserved a biography, since other and less eminent individuals have their memories thus embalmed. One may not be wholly certain, however, that this volume, despite their claims to such immortality, quite meets the case, though it contains a summary of pretty much all found elsewhere and in some cases not easily found in print, together with some new material. But with all its beauty of printed form, reflecting great credit on its publishers, it still remains a curious biography of two curious people. It throws little new light upon those tolerably well-known figures whom it describes, nor does it alter our judgment of them in any appreciable degree. The one great charge against the duke, that of cowardice or treachery in his flight to the Continent after Marston Moor, has already been pretty well disproved; the one great charge against his second wife, the disease of *cacoethes scribendi*, her own voluminous works have more than proved. This, and whatever else there was left to say, is here set down with much verbosity. One may regret the superfluous, trite, and sometimes irritating comment, the occasional lack of adequate historical setting, the superfluity of adjectives, above all the decline and fall of Wotton's famous joke about ambassadors into the form it finds here (p. 8). But there remains, none the less, a good deal worth saying, and if one cannot agree with it all, if, as in the case of the composite account of Marston Moor, he would sometimes desire more references, he may still find here much of curious interest and something of real value not easily accessible elsewhere. Yet one may still prefer the author's previous "misfortune" which led "his readers over rather muddy roads into somewhat shady places" to these "smooth paths paved with the strictest propriety", "these regions 'of sweetness and delight' where they may bask in the sunshine of unmitigated respectability", to use the author's own verbiage. For *The Curious Case of Lady Purbeck* was a much more interesting book.

W. C. A.

*J.-P. Brissot: Mémoires (1754-1793)*. In two volumes. Publiés avec Étude Critique et Notes par Cl. Perroud. [Mémoires et Documents relatifs aux XVIII<sup>e</sup> et XIX<sup>e</sup> Siècles.] (Paris, Alphonse Picard et Fils, 1910, pp. li, 401; 405.) Any one who has made use of M. Perroud's *Lettres de Madame Roland* and his *Mémoires de Madame Roland* must

have anticipated a contribution of permanent value to the study of the French Revolution in his promised critical edition of the memoirs of Brissot. Such expectation is fully justified by the present work. The problem which confronted M. Perroud was a difficult one. The only edition of Brissot's memoirs of any importance was that of M. de Montrol in four volumes published in 1830-1832. This edition was early regarded with suspicion, some critics holding that it was entirely apocryphal, while the more lenient accused the editors of making extensive additions. The solution of the question was rendered more difficult by the fact that the original manuscripts which M. Montrol claimed to have in his possession have disappeared. The question had therefore to be decided largely by internal evidence. M. Perroud's conclusions which he sets forth with detailed evidence in his critical preface already published in part in the *Révolution Française* are as follows: that Brissot did leave memoirs but that the edition of M. Montrol does consist in large part of interpolations. Of the 1300 pages of the edition of 1830 he finds that 600 pages were taken from other works though for the most part from those of Brissot himself. A hundred pages appear to M. Perroud suspicious, while another hundred consist of letters written or received by Brissot. In dealing with this varied material M. Perroud carefully separates the wheat from the chaff. The correspondence he removes with the intention of publishing it together with other letters under the title of *Correspondance de Brissot*; the suspicious pages he retains, but prints them in smaller type; the clearly interpolated matter he likewise puts in smaller type or else suppresses it altogether according to the demands of the context. But in every case where he has deviated from the text of M. Montrol he clearly indicates the fact with his reasons for the change.

After all this sifting there remain about 500 pages of the original edition which are certainly Brissot's own work and form his real memoirs. They divide naturally into two parts: the first dealing with his childhood and youth and covering the period of his life up to 1787, the second consisting of his account of his arrest and two *projets de défense*. The lacunae fall for the most part within the years of his greatest activity as a leader in the Revolution. What is left is, however, of great value. The story of his youth not only throws light on Brissot's personal character but also illuminates certain phases of pre-Revolutionary unrest; while his plans for defense serve to clarify his aim during the Revolution. The value of the edition is increased by copious notes, a list of Brissot's works, and a brief discussion of his various portraits. M. Perroud's work is then a conclusive evidence of the danger of relying on uncritically edited memoirs and at the same time it furnishes a firm foundation for a further study of Brissot.

ELOISE ELLERY.

*Les Mavroyéni: Histoire d'Orient (de 1700 à nos Jours)*. Par Théodore Blancard. In two volumes. (Paris, Ernest Leroux, 1909, pp. xv, 763, 824.) The 1500 pages of these two volumes are based in part upon the author's earlier work (*Les Mavroyéni: Essai d'Étude Additionnelle à l'Histoire Moderne de la Grèce, de la Turquie, et de la Roumanie*, Paris, 1893). The first book consisted chiefly of documents, which are in some cases reprinted in the present work, but frequently only a reference is given to the edition of 1893. A large number of additional documents, however, are now published for the first time. Unfortunately their origin is not always indicated. Many are translated into French, but some remain in the original modern Greek. References to secondary works are frequent, yet there is a lack of discrimination shown, and on many occasions, when a definite statement is made as the basis of a series of significant inferences or important conclusions, no authority which can be traced is given. The method and accuracy of the author and editor are therefore open to criticism. But of his optimism and industry no one can have doubt.

And now what of the Mavroyéni? There is little doubt that the authentic history of the family begins in Paros. The most celebrated descendant of this stock was Nicholas Mavroyéni, who entering Turkish service became Hospodar of Wallachia. There as elsewhere in the last quarter of the eighteenth century he endeavored to maintain Turkish authority, thus incurring the hatred of the Roumanian gentry and the jealousy of officials at Constantinople. Finally he was strangled by order from Constantinople. This not unusual end to a brilliant administrative career following his endeavors to mitigate certain tendencies of Turkish rule served to preserve in Greek minds an affectionate memory. Other representatives of his family rose to moderate and safer rank in Turkish service, while in several cases Greek nationalism enlisted their succor. One, however, continuing in Turkish service became physician to Abdul Hamid II. He has left some interesting notes as to the life and characteristics of his imperial patient (II. 39 ff.). But may we not imagine that in general "he must have a long spoon that must eat with the devil"?

In the main the second volume is devoted to uneven yet benevolent memoirs of less notable members of the family. On the whole, therefore, the chief value of the books lies in the documents, many of which cast a certain light upon events in the history of the Eastern question, or which serve to illustrate conditions and characteristics of Levantine life during the last two centuries. Few people will read these volumes. A number of students may occasionally use them with profit, but that is to say also with caution.

ALFRED L. P. DENNIS.

*British Credit in the Last Napoleonic War*. By Audrey Cunningham, B.A. With an appendix containing a reprint of *Des Finances de*

*l'Angleterre*, by H. Lasalle. (Cambridge, University Press, 1910, pp. vii, 146.) This essay, the second of the *Girton College Series*, treats of Napoleon's Continental System as an attack on British public credit. Nominally the system forbade all commercial intercourse with Great Britain. In practice, exports thither were permitted, at times on a quite extensive scale. In 1810 Great Britain received from the Continent by Napoleon's consent two million quarters of wheat, worth in that season of scarcity ten millions sterling. Payment, in the absence of counter-vailing British exports, would be in gold; hence the entire system, with its exceptions of this nature, has been ascribed to a survival in Napoleon of the crude Mercantilist view that a nation's wealth consisted of its exports, while imports, since they drew away its gold, were a national loss. Miss Cunningham's diagnosis is more flattering to the Corsican. According to the view here presented, his purpose in the system and its drain upon British gold was not so much to annihilate Great Britain's wealth as so to deplete her gold reserve that the home credit of the government and of the Bank of England must collapse. An avowal by Napoleon of such a design has not been discovered by the essayist, but facts which sustain her view are marshalled with skill. The evil experience of France from the excessive issue of public loans and paper currency under the Old Régime, where the resulting financial difficulties culminated in the Revolution; the prevailing opinion of contemporary French publicists that similar dangers were ripening in England from the survival there of a like system of borrowing and banking; Napoleon's acquaintance with the views of these publicists, especially De Guer, and his own aversion to public debt and paper currency—these subjects, with accompanying details, are exploited by the essayist in the first portion of her work, and with the concluding chapters on the Continental System and its effects and failure as an attack on British credit, they constitute an able discussion and argument of her thesis.

The reprint of Lasalle's work, published in 1803, occupies sixty pages. It is an unfavorable analysis of contemporary British public finance.

H. M. BOWMAN.

*The Governance of Empire*. By P. A. Silburn, D.S.O., Member of the Legislative Assembly of Natal. (London, Longmans, Green, and Company, 1910, pp. x, 347.) Mr. Silburn describes himself as a colonial; according to the preface, his purpose in writing under the title, *The Governance of Empire*, is "to present a colonial view of the imperial idea". This promises well, if only as a colonial supplement to the literature of imperialism issuing from English sources. But the anticipation of perhaps a new point of departure in the discussion of the imperial problem ends in disappointment: one finishes the book with the clear impression that there is nothing distinctive in the colonial view of the imperial idea, unless it be its somewhat late repetition of what has been written frequently elsewhere.



This, it may be suggested, is equivalent to saying that Mr. Silburn's work is superfluous; and criticism might stop here, except that the work seems to call for further comment. Of the two parts into which the book falls, the latter bears all the marks of a campaign pamphlet of the Northcliffe stamp, inspired by the approach of the first general election in 1910. The former pursues an historical and analytical review of federal and imperial government from the Achaian League to the last conference of colonial prime ministers in London. This too ambitious task becomes little more than the piecing together of free abstracts from a few standard authors. With the necessity for an immediate federation of the empire as a thesis, and an all-red imperialism as a policy, the author easily finds from his historical survey that the "lessons of history" all go to support his particular view of the imperial idea. Such special pleading may be conceded to a pamphleteer. It no more merits discussion than the loose and inaccurate statements upon which it is based merit criticism.

Mr. Silburn shares in the panic, common in all recent general elections, that the empire is about to disintegrate. Strangely enough he attributes the approaching disaster to socialism. Is this perhaps an echo of Unionist platform oratory, or only a curious survival of mid-Victorian prejudice in a distant colony? Socialism, it seems, is responsible for nationalism in Australia; and Mr. Silburn sees in colonial nationalism nothing but a disruptive force. By a simple inversion of the logical process he argues that because there is a nationalistic party in Canada, the Dominion must be going over to socialism! To combat the evil the empire must be federated without delay, and the House of Lords, as the safeguard of society, strengthened! Most astonishing of all, in view of the coming naval war with Germany, which Mr. Silburn assumes to be inevitable, is his proposal immediately to sink the German fleet, or after sequestrating it to confine the naval armament of Germany within restricted limits (pp. 258-259)! Between socialism in Australia and jingoism of this type, it is not difficult to decide from what quarter the empire is most threatened.

C. E. FRYER.

*Proceedings of the Massachusetts Historical Society.* Volume XLIII., October, 1909-June, 1910. (Boston, the Society, 1910, pp. xx, 754.) Much the most remarkable thing in this volume is the account which the youthful Henry Adams wrote for his brother in March, 1861, of the Secession Winter. It may well be doubted whether any other American youth of twenty-two since Alexander Hamilton could have written contemporaneously such a survey of a session. Others papers of high interest, aside from certain memoirs of deceased members, are that of Mr. Charles Francis Adams on Washington and Cavalry, that of Professor Channing on the American Board of Commissioners of Customs, and that of Mr. Andrew M. Davis on the currency pamphlets of John Valen-

tine and Hugh Vans. Most of the volume, however, is made up of documentary pieces. Of these the most interesting group is that of the war letters of Dr. Seth Rogers, 1862-1863, surgeon in one of the black regiments on the Carolina coast. Next in interest the reviewer would rate the first draft of Hamilton's report to Washington on the constitutionality of a national bank. Others, mentioned in order of chronology, are two tracts of the Davenport-Paget controversy, a body of letters to President Joseph Willard from English correspondents, a series of letters of Noah Webster to Timothy Pickering, a political letter of Isaac Hill, 1828, an important one of William B. Lewis to Jackson, 1839, John Quincy Adams's lecture on the Opium War, and a group of letters of George Bancroft to President Polk, chiefly concerning the Mecklenburg Declaration.

*The Early Courts of Pennsylvania.* By William H. Loyd of the Philadelphia Bar. (Boston, The Boston Book Company, 1910, pp. ix, 287.) With the appearance of this volume by one of its lecturers, the Law Department of the University of Pennsylvania enters upon the publication of post-graduate monographs. Mr. Loyd labors under two necessary limitations in this work, namely, the lecture basis for a book and the nature of his field wherein a critical consideration of William Penn is liable to the charge of *lèse-majesté*. Yet, while his work is more or less technical and is intended for students of the law, he has produced a generally valuable and readable survey of court development (1) in the experimental stage before 1701, (2) in the period of permanent growth to the Revolution, and (3) in the constitutional era previous to the code revision of 1836, together with an excellent historical chapter on that most interesting Pennsylvania subject, Equity, and chapters on two courts, Register's and Orphans', and on Road Viewing Provisions. In this has been shown the necessity of a historical study of the colonial basis of the Pennsylvania system in order to account not only for departures from the common law, but the methods of equity and other features of the state's courts. The second limitation has been overcome to a certain degree, but, while one appreciates the author's scholarly attitude, one also wishes evidences of a stronger grasp of the great fundamental basis of such a survey, the half-century or more of struggle between democracy, as led chiefly by the Pennsylvania commoner, David Lloyd, and the paternal vice-royalty of William Penn. This grasp is all the more needful as Lloyd was the greatest single influence in the development of the courts. It must be confessed, however, that the author has shown more than the usual judicial appreciation of both these influences. In the use of authorities, there are marks of thoughtful care on every page, so that one is greatly surprised to find such a cardinal one as the Lloyd docket of 1709-1732 not even mentioned, nor any consideration given to the work of that Revolutionary reconstructor of almost everything in Pennsylvania, including the courts, Justice George Bryan. On

the other hand, he has worked out more carefully than others the influence of Welsh institutions on Pennsylvania through David Lloyd and his compatriots, especially in the matter of equity provisions. He has done a service also in pointing out the need of further monographic work in this field. The volume has a fair index, but a university publication should insist on a little more severity in typographical proof-reading. Mr. Loyd has rendered a real service to both historical students and those devoted to a deeper understanding of American and Pennsylvania law.

BURTON ALVA KONKLE.

*Great Britain and the Illinois Country, 1763-1774.* By Clarence Edwin Carter, A.M., Ph.D., Assistant Professor of History in Illinois College. (Washington, The American Historical Association, 1910, pp. ix, 223.) Great Britain came into the possession of the Illinois Country by virtue of the adjustments with France after the Seven Years' War; but Lord Shelburne insisted that the English title was based upon the discovery and settlement of the Atlantic seaboard, and that the infinite parallels forming the north and south boundaries of the colonies included the Western country. Professor Carter deals with the relations that existed between the British government and the French settlements on the left bank of the Mississippi River above the mouth of the Ohio, during the period from the treaty of 1763 to the advent of the Americans under George Rogers Clark. No letter or document that throws light on the subject seems to have escaped this indefatigable searcher; and he has grouped the result of his findings in four chapters based on original researches and three chapters in which the work of others has been supplemented and subjected to a critical examination. For the towns themselves the period was one of arrested development. St. Louis, newly founded, drew to itself the more enterprising settlers; the expulsion of the Jesuits had left the entire country with but one priest; and the once formidable Fort Chartres had become a victim to the ravages of the Mississippi River. The materials to work upon, therefore, pertain rather to local than to general history. Moreover, the English government regarded the Western country, in the language of Lord North, as "the habitation of bears and beavers, with very few inhabitants; at present in a very disorderly and ungovernable condition". Hence the connection between the governing country and the remote settlements was rather on paper than actual; and the government itself, as Mr. Carter finds, was *de facto* rather than *de jure*. In short, this exhaustive study shows that while the plans for civil government were many and often elaborate, the actual authority was exercised usually by the commandant. The topical method of treatment leads to frequent repetition and to interruption of the sequence of events, save in the chapter devoted to the various schemes for a colony on the lower Ohio. In the effort to preserve a critical attitude towards his subject, the author has eliminated much matter that would have enlivened his discussion; and at times his

English is so involved as to make the reading difficult. Not the least valuable portion of the essay is the marshalling of sources, although longer acquaintance with the field of study will doubtless lead to a higher appreciation of the pioneer work done by some of this author's predecessors who had not at their service the documents more recently brought to light.

CHARLES MOORE.

*The Transition in Virginia from Colony to Commonwealth.* By Charles Ramsdell Lingley, Ph.D. [Columbia University Studies in History, Economics, and Public Law, vol. XXXVI., no. 2.] (New York, Longmans, Green, and Company, 1910, pp. 218.) Dr. Lingley has presented a very satisfactory account of the transition of Virginia from colony to state. The volume traces the developments in Virginia during the years immediately preceding the Revolution, and discusses in detail the events of the years 1774-1776. In a concluding chapter an account is given of the revision of the laws and the struggle for religious freedom, matters which have a close bearing upon the Revolutionary movement. Dr. Lingley indicates, though perhaps not with sufficient distinctness, the fact that from a governmental standpoint the transition in Virginia was an orderly one, and that in the main it simply involved the assumption of complete power by those who for years had been the leaders in the House of Burgesses.

In general there is little criticism to be made upon the manner in which the author has done his work. It would have been well to have summed up in more definite form the essential unity and continuity of the Revolutionary movement as it reflected itself upon the governmental organization, and more attention might properly have been given to the Committee of Safety as the executive organ of the Revolutionary government. The chapter on the Constitution of 1776 is good, but might have profited from some comparative use of constitutions adopted by other states in 1776 and 1777. Dr. Lingley, however, confines himself strictly to Virginia, and perhaps this may have been the method leading to the best results in a purely monographic treatment of the subject. But a wider point of view and the use of available material upon the Revolutionary movement as a whole would probably have produced a study more satisfactory in some respects. Dr. Lingley's monograph is, however, of distinct value, and merits a place by the side of Dr. Cushing's excellent study on the *Transition from Provincial to Commonwealth Government in Massachusetts* (Columbia University Studies, vol. VII.).

W. F. D.

*Historic Shepherdstown.* By Danske Dandridge. (Charlottesville, The Michie Company, Printers, 1910, pp. 362.) This book is both more and less than its title implies. The author gives such facts as can be learned of the early history of the community first known as Pack Horse



Settlement, then as Swearingen's Ferry, then as Mecklenburg, and finally as Shepherdstown, in West Virginia, but the book deals more largely with the whole region round about and even follows its *historiae personae* into fields remote. The Revolutionary period naturally receives most attention, for the materials for this period, though at best but fragmentary, are quantitatively larger than for others. The services performed by the troops from that region, particularly those led by Hugh Stephenson, Daniel Morgan, and Abraham Shepherd, are described with such fullness as the materials available permit. The journal of Henry Bedinger, of which the author made much use in her *George Michael Bedinger: a Kentucky Pioneer* (see the REVIEW for January, 1910, XV. 420), is quoted at length and is of particular interest for its account of conditions during the siege of Boston. Several chapters deal with the Berkeley County militia and their services in Virginia and elsewhere, and in these chapters the author has printed numerous letters not hitherto published. There are letters of Patrick Henry, Thomas Jefferson, Thomas Nelson, Lachlan McIntosh, William Davies, and others. One chapter is devoted to James Rumsey and his experiments on the steamboat. Although the material is not always well correlated the book is upon the whole a creditable piece of work in local history.

*The Territorial Governors of the Old Northwest: a Study in Territorial Administration.* By Dwight G. McCarty. (Iowa City, State Historical Society of Iowa, 1910, pp. 210.) This book is a study of the territorial government of the Old Northwest from the time of the American acquisition to the admission of Wisconsin into the Union in 1848.

The main purpose of the author has been to show the influence which the territorial governors had in shaping the policy and in the formation of the governments of the territories. Since the governors were given almost unlimited power, a record of their public acts becomes largely the history of the territory. The first two chapters are devoted to a general survey of the territory—the first showing the rich heritage of the territory in soil and climate and pointing out the influence which the rough frontier life had in developing the democratic spirit of the people; the second giving an account of the early attempts at government in the region.

The third and fourth chapters deal with the Ordinance of 1787 and the plan of government for the territory; also a statement of the powers, functions, and the importance of the territorial governor. Government during the first period was almost entirely in the hands of the governor with the assistance of three judges. During the second period, the colonies could elect members to the legislature, and Congress appointed legislative councilmen who assumed legislative powers. The governors, however, were given almost despotic power and herein lies the great influence which they had in shaping the policies and laws of the territory.

With this as a basis, the following chapters are devoted to the working out of the system of government as provided by the Ordinance of 1787. The government was first organized as a whole with Arthur St. Clair as governor and to him was given the task of working out a system of government over this vast wilderness of isolated settlements, including the hostile forces of the French, English, and Indians.

After the admission of Ohio into the Union, the author shows how the remaining country was successively organized into the Indiana, Illinois, Michigan, and Wisconsin territories under the original ordinance, and the remaining chapters are devoted to Governor Harrison of the Indiana territory, Governor Edwards of the Illinois territory, Governors Hull, Cass, and Mason of the territory of Michigan, and Governors Dodge and Doty of the territory of Wisconsin.

The book is not a detailed history, but it rather shows the forces at work and points out the important part played by the governors. It is supplemented by copious notes and a good bibliography and analytical index. In mechanical execution the book is characteristic of those issued by the State Historical Society of Iowa, and reflects much credit upon the society and its superintendent and editor.

*The Writings of James Madison.* Edited by Gaillard Hunt. Volume IX., 1819-1836. (New York, Putnams, 1910, pp. xxii, 666.) Mr. Hunt concludes his admirable series with a volume considerably thicker than its predecessors. In proportion to the mass of extant material the last seventeen years of Madison's life are traversed somewhat lightly. Where the Congressional edition of forty-five years ago printed over five hundred letters, he prints about a hundred and fifty, and some of these in the awkward compression and obscurity of foot-notes overrunning the page. But Madison had by this time ceased to be a man of action, and in his comments on the events which he surveyed from his place of retirement there is a certain sameness, so that compression is possible. Mr. Hunt has retained nearly all the important letters, especially those concerned with the interpretation of the Constitution, and has added some new letters of interest, especially from the collections hitherto preserved by the Chicago Historical Society. Room is found for "Jonathan and Mary Bull", the speech in the Virginia Convention of 1829-1830, and some other important documents not letters. Madison's will is also added, and an index, which seems very good, to the whole set of volumes except the third and fourth, which had a separate index of their own. Thus is worthily concluded a series begun in 1900, which has been maintained with great intelligence of editing, and which must long remain the standard edition of Madison's writings.

J. FRANKLIN JAMESON.

*Morris Ketchum Jesup: a Character-Sketch.* By William Adams Brown. (New York, Charles Scribner's Sons, 1910, pp. ix, 247.) This

book, which owing to the lack of available material is limited to a character-sketch rather than a biography, "is the story of a representative life, a life whose activities affected the welfare of many men, and whose services have left their permanent record in institutions of far-reaching influence". Morris Ketchum Jesup was "the ideal American layman", for, although originally trained for business, he developed sympathies and interests for "whatever enlarges and enriches human life".

Born in Connecticut in 1830, he early came to New York where, as banker and director of corporations, he became extraordinarily successful. Yet despite his many business interests he became so absorbed in charitable work that in 1884 he retired from business to devote his thought, time, and fortune to religious, philanthropic, educational, and civic interests. His activity in these fields may be judged from a mention of some of the positions he held from time to time: president of the Chamber of Commerce of the state of New York; president of the American Museum of Natural History; one of the founders and president of the Y. M. C. A.; president of the Peary Arctic Club; president of the American Sunday School Union; member of both the Peabody and the General Education Boards; and a member of many other institutions of a similar character. In this congenial work he continued active till his death which occurred in January, 1908.

The book should prove valuable reading not only to those who may be personally interested but to many others as well, for it touches upon the history of many important institutions and movements and shows the many possibilities for doing good that are open to a man of the character of Mr. Jesup.

J. F. PEAKE.

The Illinois State Historical Library published in 1899, as vol. I., no. 1, of its publications, *Newspapers published in Illinois prior to 1860*, by Edmund J. James. A new edition of that work, revised and enlarged by William Franklin Scott of the University of Illinois, has just been issued by the library, with the title *Newspapers and Periodicals of Illinois, 1814-1879* [Collections of the Illinois State Historical Library, vol. VI., Biographical Series, vol. I., pp. cvi, 610]. The book is introduced by a valuable historical survey, eighty pages in extent, of the Illinois press during the period treated, which also sheds light on political history and methods in the state. The first section of the bibliography (pp. 363) is a descriptive list of newspapers and periodicals chronologically treated within an alphabetical arrangement of towns. The vicissitudes of name, editorial charge, and political affiliation are set forth, often with considerable fullness, and indication is given where files of the publication may be found. Another section lists, under an alphabetical arrangement, first according to the location of the libraries, secondly, according to the place of publication, the issues of Illinois newspapers in libraries within the state. A similar list shows what issues

of these papers exist in libraries outside of Illinois. There are also a chronological list of newspapers issued before 1850, an index of the publications mentioned in the volume, a separate index of persons, and another of the counties in which the publications were issued. There are photographic reproductions of a few of the earliest newspapers published within the state.

*Academy of Pacific Coast History, Publications.* Volume I. (Berkeley, University of California, 1910, pp. 358.) The new Academy of Pacific Coast History makes an excellent beginning by publishing this handsome volume, chiefly composed of documentary materials, with several facsimiles of titles or pages of the documents. Professor C. C. Plehn's account of the San Francisco Clearing-house Certificates of 1907-1908 was mentioned in these pages upon its appearance as a separate pamphlet. Professor R. W. Kelsey's history of the United States Consulate in California, without slighting the ordinary features of consular business, is principally a study of the political and diplomatic activity of the one American consul at Monterey, Thomas O. Larkin, whose papers are preserved in the wonderful Bancroft Collection at Berkeley. It helps in many particulars toward a better understanding of the acquisition of California by the United States. The rest of the book consists of documents, well and sufficiently edited. Three deal with the expedition of Gaspar de Portolá of 1769-1770—namely, the official summary (rare print), Portolá's diary (manuscript), and the *Diario Historico* of Miguel Costansó (Mexico, 1770). There is also a brief diary of one who was a member of the Donner party; and a beginning is made of the papers of the Vigilance Committee of 1851 by printing its constitution and the list of its members. The work of editing the volume has been mostly done by Mr. Frederick J. Teggart.

*Le Dernier Évêque du Canada Français, Monseigneur de Pontbriand, 1740-1760.* Par Vicomte du Breil de Pontbriand. (Paris, Honoré Champion, 1910, pp. 326.) The somewhat obscure and neglected figure of the last Bishop of New France deserved greater prominence in history. Justice has been done to his memory by a great-nephew of the saintly prelate. By judiciously utilizing the available sources, mostly second-hand, the author assigns to his venerable ancestor the true part—a very important one—he played in the events, religious and political, that marked the close of the French domination in America.

Mgr. Pontbriand's episcopate of eighteen years (1742-1760) comprises two distinct periods. The first was a time of reorganization and of pastoral labor. Entering generously on his humble and arduous career, he never once looked back, nor returned to the mother-country. The too rapid succession of his three immediate predecessors had left much to restore and consolidate. He set to work with truly apostolic zeal, visiting the widely scattered settlements, unsparingly distributing God's word,



and providing withal for the spiritual advancement of the clergy and religious sisterhoods.

The second period of Pontbriand's biography begins with the outbreak of the Seven Years' War (1754). Not only is it contemporaneous with the tragic events that heralded the downfall of New France, but his very life was interwoven with the alternate fortunes of his fellow-countrymen. As occasion required, the pastor's voice was raised in turn to exhort and advise, to console and fortify his flock. The dispersion of the Acadians, with its consequent dangers for their faith, the brilliant feats of arms of the French commanders, the fatal battle of the heights of Abraham, all find an echo and a lesson in the bishop's *mandements*. Judiciously and appropriately quoted, these form, in our opinion, the chief feature of this biography, a parallel history, so to speak, of that eventful period. Though written in the somewhat mannered style of the day, they are replete with the unction of genuine charity and aptly interwoven with texts from Holy Scripture.

The brokenhearted and dying pastor fulfilled his mission to the last. From his retreat in Montreal, he urged his people to co-operate with the brave Lévis in his last engagement at St. Foy (1760), where a brilliant French victory ended the fight for Canada.

The author concludes by a just tribute to the liberality of British institutions compared to the hostile attitude towards the Church exhibited by the French government of the day. We must regret that he has been unable to control, by later historical publications, certain appreciations by the author of *Montcalm and Lévis*. A few geographical inaccuracies have likewise escaped his attention. But such trifling blemishes hardly detract from the merits of an otherwise reliable and commendable work.

*The History of Kings County, Nova Scotia, Heart of the Acadian Land.* Giving a Sketch of the French and their Expulsion; and a History of the New England Planters who came in their Stead, with many Genealogies, 1604-1910. By Arthur Wentworth Hamilton Eaton, M.A., D.C.L. (Salem, Mass., Salem Press Company, 1910, pp. xii, 808.) It is because Kings County in Nova Scotia is the scene of the expulsion of the Acadians in 1755 and was settled thereafter by New England planters that gives this book more than a local interest.

Concerning the Acadian expulsion, Dr. Eaton presents a judicial narrative of the well-known facts rather than a controversial discussion of the justice or injustice of the deportation. His general attitude largely harmonizes with that of Professor Edward Channing in his *History of the United States*. It is in effect that the Acadians unfortunately for themselves occupied a strategic location in the contest for the possession of the New World, towards the decision of which their removal materially aided. Only one like the author born in the county of Kings could describe with such accuracy of detail the various settle-

ments of the Acadians, the location of their roads, dykes, and habitations, and the existing remnants of their tragic expulsion. It is in this minute and accurate setting of the scene that the value of Dr. Eaton's contribution on this subject to the historian largely consists.

The coming of the New England planters is by far the most important feature of the book in general historic interest. In a paper read before the American Historical Association in 1890 (see *Annual Report* for 1891, pp. 41-42) the writer of this review first made public the facts of the earlier New England migration between 1760 and 1770 whereby the fourteen "old townships" of Acadia received their settlement. Dr. Eaton's account is limited to two only of the original townships, those of Horton and Cornwallis in Kings County, but the description of the causes and manner of their settlement is applicable to the entire migration. With such thoroughness is it written that even the towns are traced, mainly in Connecticut but in part also in Massachusetts, Rhode Island, and New Hampshire, to which the original grantees belonged. Successive chapters devoted to county government; to roads, travelling, and dykes; to the chief industries; to houses, furniture, and dress; and to marriages; domestic life, slaves, etc.; reveal the all-pervading influence of New England in the Acadian land. The subsequent Loyalist migration with its potent influence on the social and intellectual life is likewise well set forth. The book must thus always prove a veritable mine of detailed information to any future historian who may deal with New England migrations.

The work is well printed, but two volumes might have proved of more convenient proportions. It would, moreover, be difficult to mention any other county history that combines such excellence of literary form with historical accuracy.

BENJAMIN RAND.

*El General Paredes y Arrillaga.* Su Gobierno en Jalisco, sus Movimientos Revolucionarios, sus Relaciones con el General Santa Anna, etc., segun su Propio Archivo. [Documentos Inéditos ó muy Raros para la Historia de México, publicados por Genaro García.] Tomo XXXII. (Mexico, Bouret, 1910, pp. 7, 264.) General Paredes, to Mexicans an important figure as soldier, politician, and chief magistrate, is of particular interest in the United States because he gained the presidency as an advocate of war with this country, and did in fact order his troops to attack Taylor. Señor García had the good fortune some years since to obtain his papers, numbering about 5000 pieces, and he is now giving us the benefit of this acquisition. The present volume contains letters that passed between Paredes and many of the leading men of his nation from July 5, 1833, to November 12, 1844—principally in 1842-1844. The most interesting subjects, especially for Americans, are two. The first is the explanation of his domestic political policy (see particularly pp. 41-43, 46-47, and 50-54). He compared the congressional system that

had prevailed in Mexico to a council of war in which generals, officers, and privates should decide questions by a majority vote; and he desired to confine political power to the well-to-do classes, who had an interest in maintaining order. In 1842 he earnestly recommended this plan to Santa Anna, who had been given an opportunity to reshape the destinies of his country; but Santa Anna did not follow the advice, and Paredes (though ostensibly for another reason) inaugurated the revolution which overthrew him in December, 1844. The preliminaries of that movement form the second principal subject, with which portions of the first half (notably pp. 57-62) and the greater part of the latter half of the volume are concerned. Particularly interesting (p. 182) is the mention of rumors in October, 1844, that two revolutions were already afoot: one in favor of the Congress, and the other to make Santa Anna supreme protector, that is to say, permanent autocrat. Numerous light but valuable editorial touches are to be commended, and also the intimation of the preface that more of these important papers are to be printed.

JUSTIN H. SMITH.

*La Intervención Francesa en México segun el Archivo del Mariscal Bazaine.* Decima Parte. [Documentos Inéditos ó muy Raros para la Historia de México, publicados por Genaro García. Tomo XXXIII.] (Mexico, Bouret, 1910, pp. 264.) This tenth volume of documents from the papers of Marshal Bazaine contains seventy-six letters and telegrams originating between September 11 and November 15, 1865. Interest in the contents of the volume will centre in the evidence presented upon the relations of the United States with the contending parties in Mexico. It cannot be said that the publication necessitates modification of already established views upon that situation. Yet here are useful detailed reports from Vice-Consul Wurtemberg and General Mejia, stationed in Matamoras, upon the assistance given to their Republican opponents from the Federal headquarters at Brownsville. Wurtemberg considered that the greatest danger sprang from inability to place any reliance whatever upon loyalty of Mexicans in Matamoras to the French and the Empire. Then there are significant negotiations between Bazaine and certain Texans, looking to service against any Federal forces that might invade Mexico.

Señor García has sad difficulty in printing the English text of certain letters (see pp. 45, 50, 243, 250). A reviewer may not safely proceed very far upon inference as to the probable reading of manuscripts, but certainly the editor who occasionally inserts the warning "[sic]" after an error may be held responsible for many more of the same kind which are not thus noted. Accurate editing and careful proof-reading are minimum requirements for the printing of documents.

C. A. DUNIWAY.

## TEXT-BOOKS

*Notes on British History.* By William Edwards. Part IV. *From the Treaty of Versailles to the Death of Queen Victoria, 1783-1901.* (London, Rivingtons, 1910, pp. xii, 641-1050, xxiii-xli.) This is a cram book, but a most excellent one. It is not simply a list of events, but it states adequately the causes of the events and their results. It also arranges the facts under distinct topics, instead of merely following the chronological order. This necessitates some repetition, but the plan is worth more than it costs. Further, the writer gives a summary of the career of each of the prominent men of England in the nineteenth century which is well worth while. The book is also very inclusive. It treats of the entire empire, and not merely of Great Britain; it gives summaries of foreign events, where these in any way involved Great Britain; it treats not only of political history, but of the history of religion, education, public health, science, trade, and industry. In every one of these respects the book commends itself for its completeness and usefulness.

It can be said, too, that the writer is wholly unpartizan, whether he is treating of home or of foreign politics. It would be difficult to determine from his book what opinions Mr. Edwards holds either in politics or in religion.

The author furnishes a bibliography with each summary. But these bibliographies are extremely limited, and quite inadequate, at least for the use of American teachers. Moreover, the books cited are not always the best for the purpose.

The accuracy of the work is admirable. Of course mistakes are inevitable in a book of this character. Naturally they are more frequent in the summaries of foreign affairs than in those of domestic affairs. I note the following: The quotation from Fox on page 653 is not exact; the statement that the peasantry under the Old Régime retained only eighteen francs out of every hundred earned is probably incorrect (p. 657); the representatives of the people were not "refused admission to the Assembly by the nobles and clergy" in 1789; on page 660 Place de la Révolution should be Place de la Nation; Jacobins should be Montagnards (p. 660); it would be more accurate to say 75,000,000 francs instead of 60,000,000 (p. 678); the summary about Germany (pp. 805-806) seems to me inaccurate; "1812-13" on page 692 should be "1812-14"; "American ship" (p. 694) should be "American man-of-war"; Ney did not promise to bring Napoleon to Paris "in an iron cage"; a summary of the French Revolution which does not mention Danton is inadequate. The facts about Schleswig-Holstein (p. 852, par. 1) are all wrong. On page 854, under (3), Hongkong should be Canton; Lincoln was not an Abolitionist (p. 857), nor were the Abolitionists in a majority in Congress in 1860 (p. 356); Northerners on page 859 should be United States; the pope was left with something more than the Vatican after



the taking of Rome in 1870 (p. 307) ; while what Edwards says about the outcome of the Venezuela affair (p. 978) does not seem to be quite correct.

RALPH C. H. CATTERALL.

*English Political Institutions: an Introductory Study.* By J. A. R. Marriott, M.A., Lecturer and Tutor in Modern History and Political Science at Worcester College, Oxford. (Oxford, Clarendon Press, 1910, pp. viii, 347.) "This book", says Mr. Marriott, "is intended as an introduction to the study of English Politics. . . . My primary object has been to set forth the actual working of the English Constitution of to-day, and to do so with constant reference to the history of the past." The work is well done and on the whole successfully done. Marriott has undertaken to classify constitutions, to point out the salient features of the English Constitution, to discuss the executive, legislative, and judicial powers, to treat of Parliamentary procedure, of local government, and of the relations between the British state and the empire. In every case he has preceded the political science of his subject with its history. Of course everything he says is based upon secondary sources, but the books he relies upon are the best in their various fields and he shows a thorough comprehension of what his authorities are talking about. His remarks on the growth of the executive at the expense of the legislature, on the powers of the crown to-day, and on the distinctions between constitutional law and constitutional conventions, though not original with him, are well stated and properly emphasized.

The book will be useful to all teachers of the subject in elementary classes. For their use, it could hardly be better. The criticisms to be made are few and mostly have to do with matters of detail. The writer fails occasionally to give references which are sufficiently exact. For example, a reference to Clarendon's *History of the Rebellion* is not a sufficient reference. He is a little careless, too, in his verbatim quotations. Moreover, it is not scientific to quote from the Grand Remonstrance or the Petition of Right as if they were authorities for the facts of Charles I.'s reign. I do not agree that the absence of the monarch from the cabinet is one of the marks of the cabinet. It was necessary to the growth of the system, but that is all that can be said. In speaking of the three estates, Marriott always names the nobility first, which is incorrect. The clergy is always the first estate. What he says about the power of the House of Lords in the eighteenth century does not seem to square with what he later says about the power of the Commons in the same century. Chapter v., on the Civil Service, seems to me inadequate. The power to elect a mayor was not first granted to London in Magna Charta.

RALPH C. H. CATTERALL.

## COMMUNICATION

NEW ORLEANS, February 10, 1911.

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

*My dear Sir:*

IN reviewing a certain book, I stated that Aberdeen's note of September 11, 1843, to Ashbel Smith, the minister of Texas, contained the word "improperly". This was denied by the author in the January number of the REVIEW, page 403. As the shortness of the time that could be allowed me for replying to him did not permit me to offer a positive confirmation of the excellent authority upon which I had relied, I confined myself to indicating the basis of my statement (*ibid.*, p. 405); but I have since received from Hon. W. B. Townsend, Texas Secretary of State, a copy of Aberdeen's note, and there find the word in question. This copy is enclosed herewith for preservation in your files.

Obviously, since the note passed into the hands of Texas, the decisive answer to any question regarding it is to be looked for in the archives at Austin.

Respectfully yours,

JUSTIN H. SMITH.

## NOTES AND NEWS

### AMERICAN HISTORICAL ASSOCIATION

The second volume of the *Annual Report* for 1908, a volume of nearly 1600 pages, completing the Diplomatic Correspondence of the Republic of Texas, will probably be ready before the issue of the next number of this journal. All galley-proofs of the Annual Report for 1909 have been read, including "Writings on American History, 1909".

The Committee on Bibliography is privately circulating, for corrections preliminary to final print, its list of volumes of sources for European history contained in American libraries.

The preparation of the Association's biennial *Handbook* is at such a stage that members sending prompt notice of new addresses and other corrections may still hope to be in time to have them entered.

In the series *Original Narratives of Early American History*, the volume of *Narratives of Early Carolina*, edited by Mr. A. S. Salley, Jr., is published by Messrs. Charles Scribner's Sons at about the same date as this journal.

At the instance of the American Historical Association Mr. David M. Matteson has begun the preparation of a General Index to all the publications of the Association including the five volumes of *Papers* and the whole series of the *Annual Reports*. It may be expected that the index (probably two volumes) will be ready for publication in 1913.

### PERSONAL

Father Charles de Smedt, S. J., for many years president of the society of the Bollandists, died at Brussels March 4, aged seventy-eight. Besides collaboration in several volumes of the *Acta Sanctorum*, an edition of the *Gesta Episcoporum Cameracensium* (1880), and many contributions to learned periodicals, he was noted for mastery of historical criticism and as the author of two excellent books upon its methods, *Introductio Generalis ad Historiam Ecclesiasticam critice tractandam* (1876) and *Principes de la Critique Historique* (1883). He was the chief founder of the *Analecta Bollandiana*.

Rev. Hereford B. George, senior fellow of New College, Oxford, died on December 15, at the age of seventy-two. He was the author of *Genealogical Tables illustrative of Modern History* and of *The Relations of Geography and History*, both of which had passed into their fourth editions.

We notice with regret the death of Mrs. Alice Morse Earle. Her many books on the manners and customs of America in the colonial and Revolutionary period have given great pleasure to thousands of readers,

and have been marked by solid but unobtrusive learning as well as by skilful presentation and attractive style. Mrs. Earle was a woman of many high qualities and of much social charm.

The president and fellows of Harvard University have assigned to Professor Edward Channing the income for 1911 and 1912 of the Woodbury Lowery Fellowship, described in our last issue, page 411.

Professor Charles H. McIlwain of Bowdoin College has been elected to an assistant professorship of history in Harvard University, where his especial field will be the history of English law and institutions.

Dr. Theodore F. Collier, assistant professor in Williams College, has been elected associate professor of modern European history at Brown University, to take next autumn the place of Professor Wilfred H. Munro, who has resigned on account of ill health.

Professor Howard W. Caldwell of the University of Nebraska has been given leave of absence for a year.

#### GENERAL

*The American Year Book: a Record of Events and Progress, 1910* (New York, Appleton, 1911, pp. xx, 867), edited by Dr. S. N. D. North under direction of a supervisory board representing national learned societies, with Professor Albert Bushnell Hart as chairman, appeared in February, and furnishes, in the different fields of statistics, history, politics, economics, industries, the physical and social sciences, a great mass and variety of facts as to status and the year's progress.

Besides the Indianapolis papers of Messrs. Goodwin and Dunn, noted elsewhere, the March number of the *History Teacher's Magazine* contained an article by Professor Frederick J. Turner upon The Place of the Ohio Valley in American History. The April number contains the article of Professor Charles M. Andrews mentioned in the same connection, a report by Professor Arthur I. Andrews of Simmons College on material for the visualization of history, an article upon historical atlases by Professor Don E. Smith, and one upon historical pictures by Miss Laura Thompson. The May number is expected to contain the Indianapolis papers of Professor Dawson, Professor Hoover, and Miss Riggs, detailed accounts of the work of history in the summer schools of this country, and a description of the historical work at the Oxford Summer School. The June issue will contain a reprint of the illustrated article upon English castles printed in pamphlet form for the (English) Historical Association.

B. G. Teubner, Leipzig, has published the first issue of a new journal (of which there will be six issues annually) bearing the title, *Vergangenheit und Gegenwart: Zeitschrift für die Geschichtsunterricht und Staatsbürgerliche Erziehung in allen Schulgattungen*, edited by Dr. Fritz Friedrich and Dr. Paul Ruhlmann. The publisher's introductory statement declares it to be the object of the publication to aid in the



development of "historisch-kritisches Sinnes" and of "eines historisch begründeten Verständnisses der Gegenwart". The editors are engaged in secondary school-work in Leipzig and they apparently aim to make the journal a direct auxiliary in this work.

The house of M. and H. Marcus, Breslau, has undertaken the publication of a collection entitled *Historische Untersuchungen*, edited by Conrad Cichorius, Georg Kauffman, Franz Kampers, and Georg Fr. Preuss. It will embrace monographs over the whole field of history including economic and Kulturgeschichte, and will begin with a study by Willy Cohn, *Die Geschichte der Normannisch-Sicilischen Flotte unter der Regierung Rogers I. and Rogers II. (1060-1154)* (Breslau, 1910).

In the *Revue de Synthèse Historique* for October there is a brief summary by the editor, M. Henri Berr, of the present phase of the controversy between Professor K. Lamprecht and his critics; it is accompanied by a translation of Lamprecht's address on the occasion of his assuming his rectoral functions at the University of Leipzig.

Methuen announces *The Republican Tradition in Europe*, by H. A. L. Fisher, who covers the field from the fall of the Roman Empire to the establishment of the Republic of Portugal.

G. P. Putnam's Sons have published *A Short History of Women's Rights, from the Days of Augustus to the Present Time, with Special Reference to the United States and England*, by Eugene A. Hecker; the book is announced as not argumentative.

The naval development and aspirations of modern Germany are reflected in a small volume published by Quelle and Meyer, Leipzig, entitled *Seehelden und Admirale*, by Vice-Admiral Kirchhoff, being Band 84 in the collection *Wissenschaft und Bildung*. The author aims to present both the careers of great maritime leaders of all ages and the progress of the art of maritime warfare. The most modern period is represented by Nelson, Farragut, and Tegetthoff.

Volume II. of the second series of the *Papers of the American Society of Church History* contains papers read at the meetings of December 1908 and 1909: the presidential addresses of Professor Henry E. Jacobs and Professor Francis A. Christie, and other papers, on the Church and Medieval Trades-Unions, by Mr. Edward W. Miller; on Luther and Economic Questions, by Mr. John A. Faulkner; on the Beginnings of the Lutheran Church on Manhattan Island, by Dr. John Nicum; on the Early Dutch Anabaptists, by Mr. Henry E. Doshier, etc.

At the ninth annual meeting of the American Jewish Historical Society, held in Philadelphia on February 12 and 13, important papers were read by Mr. Samuel Oppenheim on the early history of the Jews in New York, 1664-1734, and on the expulsion of the Jews from Bohemia, 1744-1745, and the action of the Jews of England thereon; by Mr.

Lee M. Friedman on Judah Monis; by Rev. Barnett A. Elzas on the first Reformed Jewish prayer-book in America; by Rev. J. Friedlander on the first Jewish periodical published in this country; and by Mr. Leon Hühner on the Jew in music in America.

The Librairie Beauchesne, Paris, published in 1910 fascicles 3, 4, and 5 of the *Dictionnaire Apologétique de la Foi Catholique*; the work is being carried on in a large way, and these additions contain such important articles as that by Paul Allard on "Esclavage" and that by Paul Fournier on "Fausses Décrétales".

A marked activity has been shown of late in the field of publication with respect to the Mussulman peoples and movements. A. Picard, Paris, announces an important addition under the title *Encyclopédie de l'Islam, Dictionnaire Géographique, Ethnographique et Biographique des Peuples Musulmans*; it is being prepared by a group of Orientalists of various nationalities under the direction of Professors M. Th. Houtsma of the University of Utrecht and R. Basset of the University of Algiers. No such work at present exists. There have been published already six fascicules comprising 384 pages and coming to the word *Arabie*; the rate of progress will be four fascicules annually, and the work will be complete in fifteen fascicules, making three volumes.

In the *Bulletin* of the New York Public Library for January a list of works relating to Arabia and the Arabs is begun.

Ph. Lauer furnishes for the *Revue Historique* for January-February a useful general review of recent (1908-1910) publications on the sciences auxiliary to history.

In the issue for December 10 of *La Revue du Mois* (Paris) will be found under the title "Le Problème de la Géographie Politique" a brief condensation by Camille Vallaux of his forthcoming publication, *Géographie Sociale: le Sol et l'État* (Paris, O. Doin), a book of considerable interest from the point of view particularly of the relations between history and geography. The author finds a clue to the development and movements of state-building peoples in a differentiation of territories into those marked by comparative uniformity over wide areas, and those exhibiting great contrasts or numerous diversities in comparatively limited space; these latter prove the determining elements in the upbuilding of states, becoming the meeting-ground of different groups and the starting-point for the spread of these diverging groups over the adjacent wider areas of less diversity.

Henry Holt and Company announce *The Influences of Geographic Environment*, by Ellen Churchill Semple.

Noteworthy articles in periodicals: C. H. Hayes, *History in the College Course* (Educational Review, March); G. v. Below, *Kulturgeschichte und Kulturgeschichtliche Unterricht* (Historische Zeitschrift, CVI. 1); M. R. Vesnitch, *Deux Précurseurs Français du Pacifisme et de l'Arbitrage International* (Revue d'Histoire Diplomatique, XXV. 1).

## ANCIENT HISTORY

The *Bibliothèque de l'École des Hautes-Études* has published as no. 179 a collection of *Lettres Néo-babyloniennes* edited by Fr. Martin, and containing 112 documents in the original and in translation. They are published after the facsimiles of the cuneiform texts published by the British Museum.

T. Fisher Unwin, London, announces a translation by Marian C. Harrison of Professor Angelo Mosso's recent work, under the title *The Dawn of Mediterranean Civilisation*; it deals with the stone, copper, and bronze ages with special reference to Italy and the spread of civilization from the valley of the Nile.

Paul Geuthner, Paris, has issued *Les Civilisations Préhelléniques dans le Bassin de la Mer Égée: Études de Protohistoire Orientale* (pp. 370, 1910). This work endeavors to summarize the results of recent excavations especially in Crete, and has developed from courses of lectures given in the École d'Anthropologie at Paris.

A preliminary report on the American excavations at Sardes in Asia Minor, by Professor Howard C. Butler, is printed in the *American Journal of Archaeology* for October–December, 1910.

In the series *Die Kultur der Gegenwart*, edited by Professor Paul Hinneberg and published by Teubner, Leipzig, there is announced *Staat und Gesellschaft der Griechen und Römer* by A. v. Wilamowitz-Moellendorf and B. Niese, the former dealing with Greece and the latter with Rome.

The Oxford University Press will issue soon a book by Professor Spenser Wilkinson on *Hannibal's March through the Alps*, pronouncing for the Col du Clapier.

The eighth revised and enlarged edition of Ludwig Friedländer's *Darstellungen aus der Sittengeschichte Roms* is completed with the issue of Bände III. and IV. (Leipzig, Hirzel, 1910).

The firm of D. Nutt will soon issue *Monumenta Historica Celtica*, a collection of references in classical authors brought together by Mr. W. Dinan.

A. Picard, Paris, has published the first part of the second volume of Joseph Déchelette's *Manuel d'Archéologie Préhistorique Celtique et Gallo-romaine*, the volume being occupied with the age of bronze.

Noteworthy articles in periodicals: G. Bloch, *La Plèbe Romaine* (*Revue Historique*, March–April).

## EARLY CHURCH HISTORY

The *Revue de l'Histoire des Religions* for September–October contains the first section of a study by M. Goguel entitled "Juifs et Romains

dans l'Histoire de la Passion", in which the author investigates the evidence for the ordinary representation (as by Mommsen) of the part played in the drama respectively by Jews and by Romans. This should be considered in connection with the volume published in Paris in 1909 by Picard, *Une Province Procuratorienne au Début de l'Empire Romain: Le Procès de Jésus-Christ*, by Henri Regnault.

Professor Deissmann's *Licht von Osten*, published in 1908, is issued by Hodder and Stoughton, London, under the title *Light from the Ancient East; the New Testament illustrated by recently discovered Texts of the Graeco-Roman World*, the translation being by L. R. M. Stratton, a former colleague of the author. The special contribution of the author to New Testament interpretation has been described as being "his proof that the Greek is essentially the *lingua franca* of the Roman Empire, accessible to us now in the non-literary papyri and ostraca of Egypt, and to a rather less degree in the inscriptions of the Hellenistic period", an idea originally set forth in Professor Deissmann's earlier studies and more fully elaborated here on the basis of recently discovered material.

Hinrichs, Leipzig, have published *Entstehung und Entwicklung der Kirchenverfassung und des Kirchenrechts in den zwei ersten Jahrhunderten*, by Adolf Harnack (1910, pp. xi, 252). This is for the most part only a slightly changed reprint of Harnack's treatment of the subject in Hauck's *Theologische Realencyklopädie*, but there has been added an attack upon R. Sohm's diverging views.

Comm. Orazio Marucchi, in his *Epigrafia Cristiana: Trattato Elementare con una Silloge di Antiche Iscrizioni Cristiane principalmente di Roma* (Milan, Hoepli, 1910, pp. 453), endeavors to present the student with an adequate general treatise and adds the text of nearly five hundred inscriptions, classified and annotated.

Dr. A. J. Maclean's *The Ancient Church Orders* and the late Bishop Dowden's *The Church Year and Calendar* (Cambridge, University Press, 1910, pp. 181, 160) are excellent brief historical manuals opening the series entitled *The Cambridge Handbooks of Liturgical Study*.

A work of high importance by an eminent scholar long occupied with the subject is the archimandrite Chrysostomos Papadopoulos's *Ἱστορία τῆς Ἐκκλησίας Ἱεροσολύμων* (Alexandria, printing-office of the Greek patriarchate, 1910, pp. xxxii, 812), covering all periods and aspects of the theme.

Noteworthy articles in periodicals: C. Callewaert, *La Méthode dans la Recherche de la Base Juridique des Premières Persécutions*, I. (*Revue d'Histoire Ecclésiastique*, January); P. J. Healy, *Historic Christianity and the Social Question* (*Catholic University Bulletin*, January); *id.*, *Social and Economic Questions in the Early Church* (*ibid.*, February); *id.*, *The Social Value of Asceticism* (*ibid.*, March).



### MEDIEVAL HISTORY

It has been announced that the first volume of the *Cambridge Medieval History*, planned by Professor Bury and edited by Professors H. M. Gwatkin and J. P. Whitney, will be ready about Easter, 1911. The whole work will consist of eight volumes composed upon the same general plan as the *Cambridge Modern History*, but with some improvements of detail. The volumes will be published in chronological order, about two volumes each year. The first volume, beginning with Constantine and covering the fourth and fifth centuries, contains twenty-one chapters. Among the writers we note the names of Professors Gwatkin, Pfister, Haverfield, Du Moulin and Vinogradoff, Principal Lindsay, Mr. E. W. Brooks, Miss Alice Gardner, and Dom E. C. Butler; in the list for the second volume, those of Professors Diehl, Altamira, Jullian, Whitney, Burr, and Seeliger, Dr. L. M. Hartmann and Dr. Montague R. James. Full bibliographies are promised, "and, where necessary, footnotes to the text are admitted". The volumes will bear the titles: The Christian Roman Empire and the Foundation of the Teutonic Kingdoms; The Rise of the Saracens and the Foundation of the Western Empire; Germany and the Western Empire; The Eastern Roman Empire; The Crusades; The Roman Theocracy; Decline of the Empire and the Papacy; Growth of the Western Kingdoms.

A quarterly review with the title *Revue Charlemagne* has been established by several professors of the University of Fribourg and will be devoted to the history and archaeology of western Europe in the early Middle Ages. It will be published by Fontemoing in Paris.

A. Picard, Paris, has added to their *Collection de Manuels d'Archéologie et d'Histoire de l'Art* a two-volume work by M. Camille Enlart, director of the Trocadéro Museum of Comparative Sculpture, on the architecture of the Middle Ages.

The *Weltgeschichte in Charakterbildern*, issued under the direction of F. Kampers, S. Merkle, and M. Spahn, has added a study of *Theoderich der Grosse* by Professor Georg Pfeilschifter. The book is profusely illustrated with special reference to the aspect of the fall of the Roman Empire that is indicated in the subtitle, *Die Germanen im Römischen Reich*.

The report of the work during 1910 of the Roman Institute of the Görres-Gesellschaft records the completion of vols. II. and III. of the *Vatikanische Quellen zur Geschichte der Päpstlichen Hof- und Finanzverwaltung*, edited by Dr. K. H. Schäfer and coming down through the pontificate of Clement VI. Dr. J. Schweizer has completed vol. II. of the *Kaiserliche Nuntiatur*, dealing with 1587-1590. Dr. Fr. X. Seppelt has made good progress with his edition of the sources for Celestine V., and the publications relating to the Council of Trent are proceeding rapidly.

Noteworthy articles in periodicals: P. Allard, *Les Origines du Servage* (Revue des Questions Historiques, January); Miss L. M. Smith, *Cluny and Gregory VII.* (English Historical Review, January); E. Hoffmann, *Die Entwicklung der Wirtschaftsprinzipien im Cisterzienserorden während des 12. u. 13. Jahrhunderts* (Historische Jahrschrift, XXXI.); K. Hampe, *Altes und Neues über die Stigmatisation des hl. Franz von Assisi* (Archiv für Kulturgeschichte, VIII. 3).

### MODERN EUROPEAN HISTORY

Ed. Cornély, Paris, has just published for the *Revue d'Histoire Moderne et Contemporaine*, the first *Table Générale* of that journal, covering the years 1899-1909, t. I.-XII. It is divided into five parts: I. Avant Propos; II. Tables des Articles, par Nom d'Auteur; III. Tables des Articles, par Matières; IV. Table des Ouvrages Analysés; V. Tables des Notes et Nouvelles (pp. vii, 107).

The important work of Léon Lallemand on the *Histoire de la Charité* has now reached t. IV., *Les Temps Modernes du XVI<sup>e</sup> au XIX<sup>e</sup> Siècle* (Paris, Picard, pp. 624). Tome V. will deal with the nineteenth century.

The *Geschichte der Verehrung Marias* of Stephan Beissel, S.J., has advanced with volume II. through the sixteenth and seventeenth centuries (Freiburg i. B., Herder, 1910, pp. x, 518), and a third volume will cover the rest of the modern period. The work aims to be a contribution alike to religious history and to art and is profusely illustrated.

A recent contribution to the history of the Council of Trent is L. Carcereri's *Il Concilio di Trento, della Traslazione a Bologna alla Sospensione, Marzo-Settembre 1547* (Bologna, Zanichelle, pp. xxxiv, 591).

Cardinal Cristoforo Madruzzo, prince-bishop of Trent from 1539 to 1567, was one of the most conspicuous figures of the Council of Trent and of its period. Professor Andrea Galante in a quarto pamphlet entitled *La Corrispondenza del Card. Cristoforo Madruzzo nell'Archivio di Stato di Innsbruck* (Innsbruck, Wagner, 1911, pp. xii, 35) presents an account of the correspondence, a list of the letters, an index, and a reproduction of Titian's portrait of the bishop, now preserved at Trent.

E. de Bojani, in his *Innocent XI., sa Corresondance avec ses Nonces, 21 Septembre 1676-31 Décembre 1679* (Rome, Desclée, 1910, two volumes, pp. 712, 602), essays to supply an antidote to E. Michaud's *Louis XIV. et Innocent XI.* (Paris, 1882-1883) by full study of the pontiff's dealings with political and ecclesiastical affairs and the government of Rome. Other volumes will follow.

Hefte 1-15 of Band II. of Eduard Fuchs's *Illustrierte Sittengeschichte vom Mittelalter bis zur Gegenwart* have recently been issued (Munich, Alb. Langen). They are devoted mainly to the eighteenth century and bear the title, *Die Galante Zeit*. It is curious that from the press of J.

Hoffmann, Stuttgart, there comes almost simultaneously *Das Galante Europa: Geselligkeit der Grossen Welt, 1600-1789* (1911, pp. xix, 492).

A useful volume has been issued from the press of F. Alcan, Paris (1911, pp. xi, 570), edited by M. Pierre Albin; it is entitled *Les Grands Traités Politiques*, and brings together in a convenient form the chief diplomatic texts since 1815. The material is distributed by countries. Manifestly it is but a collection, but it seems to have been made with good judgment. There is a preface by M. Maurice Herbet.

Swan Sonnenschein and Company, London, announce *Modern Socialism in its Historic Development*, being a translation by M. I. Redmount from the Russian of Dr. M. Tugan-Baranowsky.

Stock, of Paris, has published vol. IV. of James Guillaume's *L'Internationale: Documents et Souvenirs, 1864-1878*. It is the concluding volume and deals with the years 1876-1878. The author apparently has had exceptional opportunities and has brought together a collection of unusual importance.

Professor Karl Grünberg of the University of Vienna has established a new review with the title *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung*, to be published by Hirschfeld, Leipzig, quarterly, at twelve marks. Professor Grünberg has obtained the aid of a notable group of specialists, including Georges Blondel, Henri Hauser, E. Levasseur, G. Renard, H. Sée, G. Weill, and aims to have all points of view represented. The review will publish documentary material and articles, and some important studies are announced for the immediate future.

Noteworthy articles in periodicals: A. C. McGiffert, *Martin Luther and his Work*, II., III., IV. (Century Magazine, January, February, March); K. Schellhass, *Zur Legation des Kardinals Morone, 1576, Moskau, Bayern* (Quellen und Forschungen aus Italienischen Archiven und Bibliotheken, XIII. 2).

#### GREAT BRITAIN AND IRELAND

M. Charles Bémont's bibliographical bulletin on publications concerning English history, in the *Revue Historique* for January-February, is general, and covers the period 1909-1910.

The New York Public Library's list of works relating to British genealogy and local history is concluded (part VII.) in the December *Bulletin*.

The Royal Historical Society intends to issue in its Camden Series two volumes of the Register of John of Gaunt, the second volume of Despatches from Paris, 1784-1789, the newly discovered manuscripts of John of Plano Carpini's History of the Mongols and of the Narrative of the French Conquest of the Canaries in 1404-1406, a volume of docu-

ments on the Secret Service under George III., one of Documents from the Archives of the Spanish Inquisition in the Canaries, the Novgorod Chronicle (translated from the Russian), a London chronicle of the fifteenth and sixteenth centuries, Essex Papers of 1675-1677, the Journal of the Lieutenant of the Tower of London, 1722-1746, and Camden Miscellany, vol. XII.

The Graduate Magazine Press, Lawrence, Kansas, issues (1911, pp. 87) *A Syllabus of English Institutional History*, by Clarence C. Crawford, Ph.D., assistant professor of history in the University of Kansas. The syllabus is arranged topically, with unusually full and definite reading lists and references, especially to the sources, and bids fair to be of much more than local utility.

The Oxford University Press announces as in preparation *Federations and Unions within the British Empire*, by Professor Hugh E. Egerton; and *Ireland under the Normans, 1169-1216*, by Goddard H. Orpen.

Rev. Dr. Charles J. Cox, after thoroughgoing researches in the original sources of information, has produced an attractive and substantial book on *The Sanctuaries and Sanctuary Seekers of Mediaeval England* (London, George Allen).

Portfolios IV. and V. of *Longmans' Historical Illustrations* relate to the fourteenth and fifteenth centuries, and admirably illustrate architecture, costume, ships, street scenes, and the like, by drawings from contemporary and authentic examples.

Longmans, London, have published *Visitation Articles and Injunctions of the Period of the Reformation*, in three volumes, edited by Walter Howard Frere, D.D., in the *Alcuin Club Collections*. Vol. I. is devoted to historical introduction, appendixes, and index.

Chapman and Hall, London, have published *Letters of the English Seamen, 1587-1808*, edited by E. Hallam Moorhouse. This is compiled largely from the publications of the Navy Records Society.

The edition of the *Works of Jonathan Swift* in publication by Bell, London, is now being completed by the issuing of his *Correspondence*, vol. I. having recently appeared under the editorship of F. Elrington Ball, with an introduction by J. H. Barnard, D.D., present Dean of St. Patrick's. There are numerous other editions of Swift's letters (notably that of Sir Walter Scott), but this one promises to be definitive, the needed annotation being for the first time adequately supplied. Mr. Ball's fitness for this difficult task had been proven in his *History of the County of Dublin*. The present volume comes to 1712 and is mainly of political interest.

There has appeared Band II. of Wilhelm Begemann's *Vorgeschichte und Anfänge der Freimaurerei in England*, dealing with the "Gründung



und Weiterentwicklung der Londoner Grossloge, die Ancient Masons und die Vereinigung der beiden Grosslogen" (Berlin, Mittler, 1910, pp. xii, 537). The book deals particularly with the period between the appearance of the Constitution-book of 1723 and the union of the Lodges in 1813.

John Lane announces *The Nelsons of Burnham Thorpe: a Record of a Norfolk Family compiled from the Unpublished Letters and Note-books, 1787-1843*, by M. Eyre Matcham. This is the family of Lord Nelson, the material being the journals and letters of his father and sister.

The publication of the *Dickson Manuscripts* (Royal Artillery Institution Printing House) has now reached ch. vi. of Series C, under the editorship of Major J. H. Leslie. The manuscripts include the diaries, letters, maps, and other papers of Major-General Sir Alexander Dickson, G.C.B., one of the chief lieutenants of Wellington in the Peninsular War, bequeathed by his son to the Royal Artillery. Series C covers the period 1809-1818, and ch. vi. comes to the battle of Vittoria. The material is of great extent and of great military interest. In this connection might also be noticed the announcement by Longmans of a second installment of *The Spanish Journal of Elizabeth Lady Holland, 1803-1805 and 1808-1809*, edited by the Earl of Ilchester. This second part is of considerable interest for military events; particularly through Lady Holland's attack on Sir John Moore.

Smith, Elder, and Company, London, have published *John Bright: a Monograph*, by R. Barry O'Brien, with a preface by the Right Hon. Augustine Birrell. Mr. O'Brien is the biographer of Parnell and Lord Russell of Killowen, and the term "monograph" is intended to signify that the author, a Roman Catholic Nationalist, does not attempt an elaborate biography.

John Murray published in January, in two volumes, *The Life of Sir William Russell*, compiled by J. B. Collins from previously unused private documentary material.

Two additional studies of Cecil Rhodes have recently appeared: *The Life of the Right Hon. Cecil Rhodes, 1853-1902*, by the Hon. Sir Lewis Mitchell (two vols., London, Arnold), and *Cecil Rhodes, his Private Life*, by his private secretary Philip Jourdan (London, John Lane). Sir Lewis Mitchell was for a long time a leading South African banker and politician who became a member of the Executive Council of Cape Colony and is now one of the trustees of the Rhodes will. Mr. Jourdan was Rhodes's secretary during the last six years of the latter's life; one of the unexpected disclosures here made is that Rhodes was physically a very timid man.

Methuen, London, has published *Old Kew, Chiswick, and Kensington*, by Lloyd Sanders, and the volume might perhaps be compared with the excellent studies of outlying parts of Paris now in publication. Mr.

Sanders's book is in the main the result of fresh study of parish and similar records. Routledge and Sons, London, have issued recently *Relics and Memorials of London Town* by James S. Ogilvy, who had previously prepared a similar book on *London City*. His aim is particularly to bring together with helpful explanations colored plates of historic buildings.

The Guild of Graduates of the University of Wales has undertaken the publication of a number of texts, beginning with a fifteenth-century manuscript on Welsh laws and pleadings, edited by Timothy Lewis, the publication being aided by the university and the Welsh National Library.

James MacLehose and Sons, Glasgow, have published *The Norse Influence on Celtic Scotland*, by George Henderson, lecturer on Celtic in the University of Glasgow.

Messrs. MacLehose have also published *Annals of the Reigns of Malcolm and William, Kings of Scotland, 1153-1214*, by Sir Archibald Campbell Lawrie. This house has also published *Early Scottish Charters prior to A. D. 1153*, under the same editorship; *The Medieval Church in Scotland, its Constitution, Organization and Law*, being the Rhind Lectures, by the late Dr. John Dowden, bishop of Edinburgh; and Sir Herbert Maxwell's *The Making of Scotland*, lectures on the Scottish War of Independence.

A full and relatively impartial narrative based on trustworthy material, for the most part secondary, seems to be furnished in the Rev. E. A. D'Alton's *History of Ireland*, of which a third edition in six volumes is issued by the Gresham Publishing Company.

British government publications: *Calendar of Inquisitions post Mortem*, vol. VI., Edward II.; *Calendar of the Close Rolls*, Edward III., vol. XII., 1364-1368; *Calendar of the Patent Rolls*, Henry VI., vol. VI., 1452-1461; *Historical Manuscripts of the Marquess of Salisbury*, XII., last fifteen months of Elizabeth [Historical Manuscripts Commission]; *Papers of the Marquess of Ormonde*, VI. [id.].

Noteworthy articles in periodicals: G. Constant, *La Transformation du Culte Anglican sous Édouard VI.*, I. *Tendances Luthériennes* (Revue d'Histoire Ecclésiastique, January); R. G. Marsden, *Early Prize Jurisdiction and Prize Law in England*, III. (English Historical Review, January); H. D. Hazeltine, *Selden as Legal Historian* (Harvard Law Review, December, January); H. W. V. Temperley, *Chatham and his latest Biographer* (Contemporary Review, February); Lewis Melville, *William Cobbett and Queen Caroline: an unpublished Correspondence* (Nineteenth Century, February).

#### FRANCE

Two new periodicals have been recently added to the list of French publications devoted in whole or in part to historical studies. These

are a *Revue de Bourgogne*, published at Dijon, and a journal entitled *Athéna: Revue publiée par l'École des Hautes Études Sociales*. There has also been started a new review of ecclesiastical history under the title *Documents d'Histoire*, edited by Abbé Eugène Griselle; this is devoted to the seventeenth, eighteenth, and nineteenth centuries, will appear quarterly, and will have the object only of publishing new documents, in whole and without notes, under the divisions Histoire générale, Protestantisme, Jansénisme, Quiétisme, Prédication. M. Griselle has also assumed the editorship of a *Revue Fénelon* of which the first number was issued in June, 1910; this publication is in connection with the approaching bicentenary of the archbishop's death (1915) and with a new edition of Fénelon's works; it will be published for several years.

Considerable additions have been made in 1910 to the inventories of documents in the departmental archives, especially in the material posterior to 1800. It is not surprising that five of the new inventories deal with the material classified under *Cultes*.

The Bibliothèque Nationale, in addition to the author series of its *Catalogue Générale des Livres Imprimés* (of which volume 45 brings us almost through D), is preparing special series. Under this head comes t. I. of a *Catalogue des Actes Royales*, published in 1910 and edited by M. Albert Isnard. More than 5600 *actes* or groups of *actes* are classified, from Dagobert I. to the death of Henry IV.; the library is particularly rich in *actes* of the sixteenth century. The management has recently revised the collection of books of reference in the general reading-room, and a catalogue of the collection was also published in 1910 (pp. xx, 316).

Some important additions have recently been made to the publications of the Société d'Histoire Contemporaine. Volume 46 is the second volume of Count Adolphe de Circourt's *Souvenirs d'une Mission à Berlin en 1848*, edited by G. Bourgin, rich in information upon important events; these reminiscences are of high value for the attitude of the Prussian administration toward the revolutionary progress. Vol. 47 is t. III. of the *Correspondance du Duc d'Enghien, 1801-1804*, edited by Count Boulay de la Meurthe; the work includes much more than the correspondence indicated. Vol. 48 is t. IV. of the *Correspondance du Comte de La Forest, Ambassadeur de France en Espagne, 1808-1813*, edited by G. de Grandmaison; the volume covers July, 1810-March, 1811. Vol. 49, edited by MM. Paul Usteri and Eugène Ritter, is a new edition of Henri Meister's *Souvenirs de mon dernier Voyage à Paris* (now rare), a record of a visit in 1795 (Paris, Picard, 1910, pp. 256). Notes as to visits in 1801 and 1804 and some recollections are added. Henri Meister was an observer of unusual quality; he had been from 1773 the collaborator of Grimm in the *Correspondance Littéraire*. The same editors in 1903 published the *Lettres inédites de Mme. de Staël à Meister*.

In the *Mémoires* of the Catholic faculties of Lille, fasc. VI. is the first volume of an important and valuable *Histoire de la Propriété Ecclésiastique en France* (Paris, Champion, 1910, pp. 496), by Professor E. Lesne. This first volume relates to the Roman and Merovingian periods, and has been followed (as fasc. VII.) by a briefer and more special monograph by the same writer on *L'Origine des Menses dans le Temporel des Églises et des Monastères de France au IX<sup>e</sup> Siècle* (1911, pp. 165).

Scribners have published *Henri II.: his Court and Times*, by H. Noel Williams, and *Louis XIV. and Mme. de Maintenon*, by Charlotte Lady Blennerhassett.

The Sturgis and Walton Company have added to their Court Series of French memoirs a translation of the *Secret Memoirs of the Regency* by Duclos.

M. André Lesort in his last *Rapport sur les Archives Départementales, Communales et Hospitalières du Département d'Ille-et-Vilaine*, describes the recent acquisition, through some anciently established houses of commerce at St. Malo, of 26 registers containing detailed and important information as to foreign and colonial trade in the eighteenth century, especially with the Indies, as also on the matter of late eighteenth century speculation in grain in France.

A series of studies on Voltaire by the late Ferdinand Brunetière were published in the *Revue des Deux Mondes* toward the end of 1910. The papers were prepared by Brunetière in 1886-1888 for an edition of the poet designed to appear in the Hachette collection of *Grands Écrivains Français*; having completed and sent to the printer three chapters of his study he was then called off by other work and never resumed the task. His literary executors have now published these chapters in part from the manuscript and in part from the uncorrected proofs made by Hachette in 1888. The studies bring the life of Voltaire down to 1754 and represent about half the work planned by the author.

The somewhat neglected field of Old Régime institutional history will soon be made more easy of cultivation through the publication of a projected *Collection de Textes sur l'Histoire des Institutions et des Services Publics de la France Moderne et Contemporaine* of which M. Camille Bloch, inspector-general of libraries and archives, has assumed the editorship (Paris, E. Cornély). In this series has already appeared M. Marcel Marion's *Les Impôts Directs sous l'Ancien Régime et principalement au XVIII<sup>e</sup> Siècle*, and there are announced for early publication: *Le Gouvernement Révolutionnaire*, by M. Mautouchet; *Le Recrutement de l'Armée pendant la Révolution et l'Empire*, by P. Caron; *Le Crédit aux XVII<sup>e</sup> et XVIII<sup>e</sup> Siècles*, by G. Martin; *L'Administration Provinciale au XVIII<sup>e</sup> Siècle*, by C. Bloch; *Les Impôts Indirects sous l'Ancien Régime principalement au XVIII<sup>e</sup> Siècle*, by G. Besnier;



*L'Administration Municipale sous l'Ancien Régime, principalement au XVIII<sup>e</sup> Siècle*, by F. Mourlot; and *Les Impôts Directs depuis 1789*, by E. Allix. It is the object of the series to group the essential documents in small compass and to provide historical annotation; there will be general historical introductions and bibliographies. Attention may also be called, in the same connection, to E. Tarle's *L'Industrie dans les Campagnes de France à la Fin de l'Ancien Régime* (Paris, Cornély, 1910, pp. 87).

The Société d'Histoire Moderne has begun the publication of a series of "instruments de travail", and has published in it a brief résumé entitled, *Les Ministères Français, 1789-1909* (Paris, E. Cornély, 1910, pp. 58). The lists are accompanied by introductions giving résumés of the departmental histories, and it is evident will be of considerable utility, providing as it does much fuller and more trustworthy information than has hitherto been accessible in the lists of the *Annuaire de la Société de l'Histoire de France* or in the work published in 1890 by L. Muel. The society purposes publishing shortly a similar *Liste des Intendants*.

The Commission de l'Histoire Économique de la Révolution announces that six new volumes are in its hands for publication and that six others will be ready in 1911. The new associated Commission de l'Histoire Économique des Pays séparés de la France has had its field extended to include the old colonies still possessed by France and is still at work on a preliminary investigation of its field. A project as to publication in regard to paper money is under consideration by the main commission. In connection with the work to be done on the colonies it is to be remarked that the commission has recommended to the government to transfer colonial material for the period 1789-1815 from the Archives of the Ministry of the Colonies to the National Archives (where most colonial documents anterior to 1789 are, or soon will be, deposited).

In 1908 the Conseil Supérieur of French ecclesiastics founded at the Institut Catholique de Paris a course on the history of the Revolution, in charge of Professor Gustave Gautherot. This presentation of the period from the point of view of the Church has now been in progress for three years, and for 1911 it is proposed to extend its scope by offering to subscribers the lectures in a printed form. Professor Gautherot has just published (St. Dizier, M. Thevonot) a *Histoire de la Révolution Française dans l'Ancien Évêché de Bâle*, in two volumes.

H. Fleischmann, Paris, has begun the publication of a monthly *Revue des Curiosités Révolutionnaires*; he proclaims as his object the bridging of the gap between the reviews devoted to special fields and neglected by the public, and those of too flimsy a nature. The new publication will aim "à intéresser le lecteur et à lui éviter un ennui prodigué par tant de revues d'histoire quasi-officielle" and will be addressed particularly "aux amateurs de trouvailles, d'autographes, d'anecdotes ignorées, à tous les curieux des dessous de l'histoire révolutionnaire, des coulisses de la crise ouverte en 1789 et fermée en 1815".

A curious Revolutionary episode is the subject of Joseph Durieux's *Les Vainqueurs de la Bastille* (Paris, H. Champion, 1910, pp. 302). In 1790 the Commune of Paris appointed a commission to draw up a statement of the names and conditions of participants in the great action. The list drawn up contains 954 names, most of them names of workmen resident in the Faubourg St. Antoine. On June 19, 1790, the National Assembly accorded to these "héros" "brevets honorables", reciting a right to a special dress at the public expense with distinctive marks and to the bearing of the title "Vainqueur de la Bastille". There was however considerable opposition (voiced particularly by Marat) to this authorizing of distinctions, and before the end of the year the municipality of Paris had forbidden the Society of the Vainqueurs to meet. The organization however was maintained, and when the Napoleonic Legion of Honor was established it became active during several years in demanding admittance—demands to which Napoleon turned a deaf ear. Nothing more is heard apparently from the Vainqueurs till the beginning of the reign of Louis Philippe, when pensions of 250 fr. (equal to that accorded to chevaliers of the Legion of Honor) were granted to ninety-nine Vainqueurs (presumably all the survivors in honorable standing). The present publication aims to establish the list of the original Vainqueurs with biographical notes, and the work seems carefully done.

The fourth and last volume of the *Procès-Verbaux des Comités d'Agriculture et de Commerce de la Constituante, de la Législative, et de la Convention*, edited with notes by MM. Fernand Gerbaux and Charles Schmidt, has appeared. There will be published later a full index of this important collection.

An English version has appeared of the memoirs of Mgr. de Salamon, papal internuncio resident at Paris 1790–1801, under the title *A Papal Envoy during the Reign of Terror*. These memoirs, edited by the Abbé Bridier, were first published in 1890, and are now translated by Francis Jackson; the English edition includes some additional material published in 1898, being the secret correspondence of the Abbé de Salamon and Cardinal Zelada (London, Sands, 1910, pp. xlvii, 247).

Grant Richards, Ltd., London, announce *The Last Episode of the French Revolution*, by Ernest Belford Bax. The book deals with the history of Gracchus Babeuf and the Conspiracy of the Equals.

Cassell and Company, London, announce *Napoleon in his Own Defence*, by Clement K. Shorter, being "A Reprint of certain Letters written by Napoleon from St. Helena to Lady Clavering and a Reply by Theodore Hook. With which are incorporated Notes and an Essay on Napoleon as a Man of Letters by the Author." John Murray announces *The Growth of Napoleon: a Study in Environment*, by Norwood Young.

An interesting recent contribution to the military history of Napoleon is H. Giehl's *Der Feldherr Napoleon als Organisator: Betracht-*

ungen über seine Verkehr- und Nachrichtenmittel, seine Arbeits- und Befehlsweise (Berlin, Mittler, 1910, pp. 181).

John Lane, London, announces a translation by J. Lewis May of the recent publication of Albert Espitalier, under the title *Napoleon and King Murat, 1808-1815: a Biography compiled from hitherto unknown and unpublished Documents*.

E. Driault contributes to the *Revue Historique* a bibliographical review of publications 1909-1910 on contemporary French history.

The Librairie H. Champion, of Paris, has begun the publication of the *Correspondance de Chateaubriand*, edited by Professor L. Thomas, who has been occupied with preliminary labors for several years. As the publisher remarks it is somewhat surprising that this correspondence has lain unpublished so long. He requests the co-operation of all possessors of letters. The edition will comprise five volumes and will be limited and numbered; two volumes will appear yearly. In the *Quarterly Review* for January will be found an article by P. F. Willert entitled, "Chateaubriand on his own Life".

Plon-Nourrit, Paris, have published vol. II. of the *Correspondance* of the Duc d'Aumale and Cuvillier-Fleury, covering 1849-1859, edited by René Veltery-Radot (pp. xx, 547).

John Lane, London, has announced an English version by Bryan O'Donnell of a work by Frederic Loliée, under the title *Le Duc de Morny, the Brother of an Emperor and the Maker of an Empire*. The book is asserted to be based on family papers.

The papers of M. Émile Ollivier on "La Guerre de 1870" in the *Revue des Deux Mondes* for December and January are of unusual interest and have already occasioned renewed and violent discussion within and without France.

The firm of Honoré Champion has published in two volumes an excellent *Histoire des Corporations d'Arts et Métiers des Ville et Comté de Montbéliard et des Seigneuries en dépendant* (1910, pp. 510, 276), by MM. Léon Nardin and Julien Mauveaux, the first volume occupied with the general history of the guilds and that of each company in particular, the second with the texts of their rules, statutes, and ordinances.

Noteworthy articles in periodicals: G. Fagniez, *La Femme et la Société Française depuis la Première Moitié du XVII<sup>e</sup> Siècle: Le Mariage* (*Revue des Deux Mondes*, January 1); P. Caron, *De l'Étude du Gouvernement Révolutionnaire* (*Revue de Synthèse Historique*, October); A. Lajusan, *Le Plébiscite de l'An III* (*La Révolution Française*, January 14); A. Aulard, *L'Université Impériale: Le Grand-Maître, L'Administration Centrale* (*ibid.*, LIX.); D. Pasquet, *Comment la France a perdu l'Égypte, d'après les Mémoires de Lord Cromer* (*Revue Historique*, January-February); Marquis de Ségur, *Albert Vandal* (*Revue des Deux Mondes*, November 15).

## ITALY AND SPAIN

In her brief *Markgraf Hubert Pallavicini* (Leipzig, Quelle and Meyer, 1910), Dr. Zippora Schiffer presents the first biography of this prominent North Italian *signore* of the later thirteenth century. His relations with the Hohenstaufens are emphasized.

Professor Walter Goetz's *König Robert von Neapel (1309-1343), seine Persönlichkeit und sein Verhältnis zum Humanismus* (Tübingen, Mohr, 1910), is short but of deep interest as the title suggests. An appendix lists King Robert's 289 extant sermons and quotes one of them.

Scribners have published *The Romance of a Medici Warrior*, by Christopher Hare; the book recounts the exploits of Giovanni delle Bande Nere and of his son Cosimo I., grand duke of Tuscany. Attention should be drawn also to Colonel G. F. Young's *The Medici* (Murray, two vols.), as having reached a second edition.

Band XIII. of the Görres-Gesellschaft's *Quellen und Forschungen auf dem Gebiete der Geschichte is Reformation und Inquisition in Italien um die Mitte des XVI. Jahrhunderts*, by Gottfried Buschbell (Paderborn, F. Schöningh, 1910, pp. xxiii, 344). This is perhaps the first thorough investigation of the Italian inquisition; the author has worked with new material, a considerable section of which is printed in the 97 Beilagen.

Volume III. of the *Biblioteca di Storia Italiana Recente, 1800-1870*, has appeared (Turin, Fratelli Bocca, 1910, pp. 367); it is almost wholly devoted to a publication by Baron A. Manno, entitled *L'Opinione Religiosa e Conservatrice in Italia, 1830-1850, ricercata nelle Corrispondenze e Confidenze di Monsignor Giovanni Corboli Bussi*. Corboli Bussi died in 1850 at the age of thirty-seven, but had already enjoyed the confidence of two popes, especially that of Pius IX.; the correspondence here published is deposited in a private collection in Cremona.

Félix Alcan, of Paris, has published in his *Bibliothèque d'Histoire Contemporaine* a volume by Maurice Pernot, *La Politique de Pie X., 1906-1910*; it is a collection of reports to the *Journal des Débats* from its Roman correspondent, who happens to be a man of singular knowledge and discernment.

In June, 1910, the Spanish government created at Rome a Spanish School of History and Archaeology.

Professor Don Rafael Altamira of Oviedo, now inspector-general of education at Madrid, has published the fourth volume of his standard *Historia de España y de la Civilización Española* (Barcelona, Gili), dealing with the eighteenth century and the early part of the nineteenth, to the War for Independence. The volume concludes with a bibliographical index of sources from the earliest period to 1800.



The *Boletín de la Real Academia de la Historia* for July–September, 1910, contains the report of the committee appointed to award the prize offered by the Baron de Santa Cruz for the best *Historia Política, Diplomática y Militar de Alfonso XI.*; the award was made to Don Antonio Ballesteros y Beretta. The prize (3000 pesetas) has again been offered for 1913, to the best historical monograph on the reign of Carlos II.

There has appeared t. I. of *Publicaciones del Congreso Histórico Internacional de la Guerra de la Independencia y su Época (1801–1815)* (Saragossa, E. Casanal, 1909, pp. 260). This congress was held at Saragossa in October, 1908, and the volume contains papers presented to it. Various other publications suggested by this anniversary and relating especially to the siege of Saragossa have appeared recently in Spain.

Noteworthy articles in periodicals: L. Romier, *Les Institutions Françaises en Piémont sous Henri II.* (*Revue Historique*, January–February); P. Ronzy, *Un Siècle d'Influence Française en Italie (1650–1750) à propos d'un Ouvrage récent* (*Revue de Synthèse Historique*, October).

#### GERMANY, AUSTRIA, AND SWITZERLAND

The *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* has announced the adding of a new department under the name “kanonistische” devoted to the general history of ecclesiastical law and placed under the editorship of Professor Ulrich Stutz of Bonn and Professor A. Werminghoff of Königsberg, the former to deal with texts, the latter with the literature.

The Prussian Institute in Rome will publish this year a volume of the *Repertorium Germanicum* for the reign of the Avignon pope Clement VII., edited by Mr. Emil Goeller. Besides vol. I. of Professor A. O. Meyer's *England und die Katholische Kirche unter Elisabeth und den Stuarts* (Rome, Loescher, 1910, pp. xxvii, 489), which ranks as vol. VI. in the *Bibliothek*, we should count as a product of the Institute Dr. Philipp Hiltebrandt's *Preussen und die Römische Kirche*, of which the first volume, 1625–1740, has lately been brought out in Berlin (Bath, 1910, pp. xiv, 442). Two additional volumes are in preparation, the first dealing with the *Kirchenpolitik* of Frederic the Great, the other with that of Frederic William II. and III.

The Fulda Geschichtsverein has published a thorough study of *Das Zunftwesen der Stadt Fulda von seinen Anfängen bis zur Mitte des 17. Jahrhunderts*, by Dr. Josef Hohmann (Fuldaer Aktiendruckerei, 1910, pp. iv, 130).

The controversy as to the editing of the *Jahrbücher der Deutschen Könige* begun by the strictures of B. Schmeidler on the recent addition to the series by H. Simonsfeld (see our notes of last October, p. 199) is continued sharply by Schmeidler and Simonsfeld in the latest issue

of the *Historische Vierteljahrschrift*. The latter contends that he had been faithful to the principles of the series as laid down by the Historical Commission on the basis of the declaration by Ranke reiterated by Sybel, and the former replies that the expressions of Ranke and Sybel do not warrant the methods censured. The contention of Schmeidler that the providing of the material in this form cannot be regarded as absolving the investigator from direct consultation of the originals seems to be both pertinent and unanswerable.

The Houghton Mifflin Company are about to publish *The Life and Letters of Martin Luther*, by Dr. Preserved Smith.

Heft LXXXVII. of the *Historische Studien* of E. Ebering is *Die Hofordnung Kurfürst Joachims II. von Brandenburg, neu hrsgb. und durch Untersuchungen über Hofhalt und Verwaltung unter Joachim II. erläutert* von Martin Hass. This *Hofordnung* has already been published twice, but very unsatisfactorily; as now edited it adds very materially to our knowledge of the Brandenburg central administration of the period.

The Caxton Club of Chicago has issued for its members, in the sumptuous form usual with its publications, *The Frankfort Book Fair*, being the *Francofordiense Emporium sive Francofordienses Nundinae* of Henri Estienne, a rare book printed in 1574, and here presented with the original Latin text and English translation on opposite pages, with an elaborate introduction and notes by Professor James Westfall Thompson of the University of Chicago (pp. xviii, 204). In view of the special value of the book to public libraries, the council of the Caxton Club has, by an exceptional vote, empowered its secretary to dispose of copies to such libraries or institutions as may make application, on the same terms as to its members.

Dr. J. Schmidlin has completed his presentation of *Die Kirchlichen Zustände in Deutschland vor dem Dreissigjährigen Kriege*, on the basis of the episcopal reports to the papacy, with the publication of part III. (Freiburg i. B., Herder, 1910).

The suspended publication of the *Briefe und Akten zur Geschichte des Dreissigjährigen Krieges* has been recently resumed with the issue of Bde. VIII. and XI., the former, edited by Karl Mayr, dealing with the last ten months of 1610 (and completing the publication of the material collected by Felix Stieve), and with 1611-1613, the latter, edited by A. Chroust, dealing with the Regensburger Reichstag of 1613. With this volume the latter editor ends his connection with the undertaking (Munich, Rieger, pp. vii, 800, xxxiv; xxv, 1108).

Dr. Viktor Loewe of Breslau publishes in the *Mittheilungen des Vereins für die Geschichte der Deutschen in Böhmen*, XLIX. 1, pp. 29-64, a fifth supplement to his bibliography of Wallenstein literature. The last supplement was issued in 1900. In the following issue of this

journal Dr. Karl Siegel has a new study on Wallenstein, "Wallenstein auf der Hohen Schul zu Altdorf".

Band II. of August Hartmann's *Historische Volkslieder und Zeitgedichte vom 16. bis zur 19. Jahrhundert*, of which Band I. appeared in 1907, covers the period from the middle of the seventeenth to the middle of the eighteenth century (Munich, C. H. Beck, 1910, pp. iv, 355). The volume contains 181 numbers, given with the melodies, the latter being edited by Hyacinth Abele.

There may be included in the product of the recent centenary celebration in Berlin a book by Professor von Scharfenot, *Die Königlich Preussische Kriegsakademie, in dienstlichem Auftrage aus amtlichen Quellen dargestellt* (Berlin, Mittler, 1910, pp. vi, 397). The Kriegsakademie was, like the University of Berlin, a creation of the period of regeneration, being founded by Scharnhorst in 1810. It was planned to provide for a three years' course for officers; the original entry number of 50 has now risen to 160 and the institution has developed from a purely professional one into a general scientific Hochschule.

Heft 20 of Brandenburg, Seeliger, and Wilcken's *Leipziger Historische Abhandlungen* (Leipzig, Quelle and Meyer) is *Bunsen und die Deutsche Einheitsbewegung*, by Walther Ulbricht. The study is based on the family archives, and the author aims to show the injustice of the presentation of Bunsen in Treitschke's *Geschichte des Neunzehnten Jahrhunderts*. The period covered is 1813-1860.

Professor W. Busch has prepared a fourth edition of W. Maurenbrecher's *Gründung des Deutschen Reiches, 1859-1871*, aiming to incorporate the results of investigation since the issue of the third edition, also supervised by Professor Busch (Leipzig, C. E. Pfeffer, pp. ix, 272).

In the *Archiv für Kulturgeschichte*, VIII. 3, Professor Dr. G. v. Below and Dr. Marie Schulz begin the publication of "Briefe von K. v. Nitzsch an W. Maurenbrecher, 1861-1880", the first installment coming to March, 1876. The correspondence is of much interest with respect to the development of historical study in Germany and with regard to politics. Nitzsch, professor first at Königsberg and later in Berlin, was at one time associated with Maurenbrecher in a plan for the publication of an extensive history of Germany in monographs, a plan which was the forerunner of the *Bibliothek Deutscher Geschichte* of Zwiedineck-Südenhorst. Politically Nitzsch and Maurenbrecher were associated with such men as Treitschke and Duncker in strong support of the Bismarck policy, though Nitzsch was not so much an admirer of Bismarck as an opponent of the Fortschrittspartei. The letters of Maurenbrecher to Nitzsch have not been preserved.

The important studies by M. Georges Goyau on "Bismarck et l'Épiscopat" in the *Revue des Deux Mondes*, designed to cover the period 1873-1878, have now come to 1874.

The twenty-ninth annual meeting of the Baden Historical Commission was held October 21-22. It is announced that the commission will publish in 1911 Band III. of the *Regesten der Bischöfe von Konstanz*; the first part of Band II. of *Regesten der Pfalzgrafen am Rhein*, edited by Dr. Graf v. Oberndorff and covering 1410-1412; the last section of the *Historische Grundkarten des Grossherzogthums Baden* (Pforzheim, edited by Oberregierungsrat Dr. Lange); the fourth and fifth Hefte of Band III. of the *Oberbadisches Geschlechterbuch*, edited by Freiherr von Stotzingen; Heft 1 of Dr. Cahn's *Münz- und Geldgeschichte der im Grossherzogtum Baden vereinigten Gebiete*; Dr. Geier's *Register zum Ueberlinger Stadtrecht*; and a *Neujahrsblatt* containing a study by Joseph Sauer on "Die Anfänge des Christentums und der Kirche in Baden".

The Commission for the Modern History of Austria held its annual meeting October 21, 1910, and announced as to be issued in 1911 a volume of *Oesterreichisch-Siebenbürgische Staatsverträge*, edited by R. Gooss, Band I. of the *Konventionen Oesterreichs und der Vereinigten Niederlande*, edited by H. v. Srbik, and Band I. of the *Korrespondenz Ferdinands I.*, edited by W. Bauer.

A critical article of unusual interest is published by Dr. Ludwig Spiegel in Bd. IV., Heft 1, of the *Zeitschrift für Politik*, under the title "Zur Geschichte der Politischen Literatur Oesterreichs". The author, proceeding from the assertion "dass die politische Literatur Oesterreichs in den vierziger und fünfziger Jahren des 19. Jahrhunderts ihren Hohepunkt erreicht hat" devotes his study to "Die Broschurenschmiede von 1847 und ihre Gegner" and to "Die Genesis-Literatur".

The city of Geneva has begun the publication of a new series of documents from its archives with the title *La Municipalité de Genève pendant la Domination Française: Extraits de ses Registres et de sa Correspondance, 1798-1815*; t. I. was published in 1910 under the editorship of Édouard Chapuisat (Geneva, Kündig; Paris, Champion, pp. clxiv, 355). The editor is known in this field by his *La Commerce et l'Industrie à Genève pendant la Domination Française*.

Noteworthy articles in periodicals: F. Kern, *Die Reichsgewalt der Deutschen Könige nach dem Interregnum: Zeitgenössische Theorien* (Historische Zeitschrift, CVI. 1); D. Brader, *Die Entwicklung des Geschichtsunterrichts an den Jesuitenschulen Deutschlands und Oesterreichs (1540-1774)* (Historisches Jahrbuch, XXXI.); J. Blociszewski, *L'Annexion de la Bosnie et de l'Herzégovine: Étude Historique et Juridique* (Revue Générale de Droit International Public, September-October).

#### NETHERLANDS AND BELGIUM

The Dutch Historical Commission has published the third volume of the *Acta der Particuliere Synoden van Zuid-Holland (1646-1656, pp.*



585), edited by Dr. W. P. C. Knuttel, and the fifth of Dr. H. T. Colenbrander's *Gedenkstukken der Algemeene Geschiedenis van Nederland van 1795 tot 1840* (The Hague, Nijhoff, 1910, pp. lxi, 841), containing some 611 documents, from a wide variety of sources, for the period of Louis Bonaparte.

The Belgian Commission Royale d'Histoire has resolved upon the preparation and ultimate publication of a formidable series of catalogues of *actes*, embracing those of the kings and dukes of Lotharingia, of the dukes of Brabant, counts of Flanders, Hainaut, and Namur, counts and dukes of Luxemburg, prince-bishops of Liège, bishops of Cambrai, Tournai, and Théroutanne, and princes of the house of Burgundy from Philip the Good to Charles V.

Noteworthy articles in periodicals: G. des Marez, *L'Apprentissage à Ypres à la Fin du XIII<sup>e</sup> Siècle* (*Revue du Nord*, February).

#### NORTHERN AND EASTERN EUROPE

Drs. A. Krarup and J. Lindbaek have brought out the fourth volume of *Acta Pontificum Danica* (Copenhagen, G. E. C. Gad, 1910), presenting a considerable mass of documents, chiefly from the Vatican archives, for the Danish dioceses in the pontificates of Sixtus IV. and Innocent VIII., 1471-1492.

A. Lahure, Paris, has published (1911) the ninth and tenth volumes of the *Lettres et Papiers du Chancelier Comte de Nesselrode*, the material covering 1847-1853.

Father Michel Tamarati's *L'Église Géorgienne des Origines jusqu'à nos Jours* (Rome, Soc. Tip.-ed. Romana, 1910, pp. xv, 710), the first adequate work on the subject, is illustrated with maps, portraits, and many documents hitherto unpublished.

A. Picard, Paris, announces in his *Collection de Manuels d'Archéologie et d'Histoire de l'Art*, in the section on Mussulman art, a volume on Mussulman architecture by H. Saladin and one by Gaston Migeon on *Les Arts Plastiques et Industriels*. To the same collection Professor Ch. Diehl of the University of Paris contributes a *Manuel d'Art Byzantin* (pp. xi, 837; 420 figures).

An important contribution to the history of the Eastern Question has been published by Plon, Paris, being *Le Bosphore et les Dardanelles: Étude Historique sur la Question des Détroits, d'après la Correspondance Diplomatique déposé aux Archives Centrales de Saint-Pétersbourg et à celles de l'Empire*, by Serge Goriainov (1910, pp. xxiii, 392). It is a treatment prepared wholly from the Russian material and apparently contains considerable additions to our knowledge of the crises of 1840-1841 and 1870-1871.

The *Archiv für Slavische Philologie*, XXXII. 1, 2, pp. 89-227, contains an historical contribution of much interest by Stojan Novakovic,

entitled "La Serbie Régénérée et ses Historiens". It is apropos of the posthumous publication in 1910 of B. de Kallay's *Geschichte des Serbischen Aufstandes, 1807-1810*.

Bloud, Paris, has published *Les Commencements de l'Indépendance Bulgare et le Prince Alexandre: Souvenirs d'un Français de Sofia*, by E. Queille, with a preface by E. Lamy of the Academy. This is composed mainly of the diary of M. Queille during his residence in Sofia, 1883-1884, which had already been published in the *Correspondant*; it is prefaced by a sketch of Bulgarian history from 1878. M. Queille was in intimate association with King Ferdinand and high officials of the state, and was a keen observer; there is a good deal of interest on the matter of Russian intrigue.

Noteworthy articles in periodicals: L. Bril, *Les Premiers Temps du Christianisme en Suède*, I. (Revue d'Histoire Ecclésiastique, January); Pierre Rain, *Un Tsar Idéologue: La Formation de l'Esprit d'Alexandre I., de Laharpe à la Mort de Paul I.* (Revue d'Histoire Diplomatique, XXV. 1); M. A. Andreades, *L'Administration Financière de la Grèce sous la Domination Turque* (Revue des Études Grecques, March-June, 1910).

#### THE FAR EAST AND INDIA

Messrs. Methuen of London have published *Vasco da Gama and his Successors, 1460-1580*, by K. G. Jayne.

The series *The Sacred Books of the East* (Clarendon Press), containing 49 volumes, has been completed by *A General Index to the Names and Subject Matter of the Sacred Books of the East*, compiled by Professor M. Winternitz, who has been engaged in the task since 1894. He has aimed to produce such an analytical index as would be "a scientific classification of religious phenomena".

Ullstein and Company, Berlin, publish a *Geschichte des Orients* by R. Stube, C. Bezold, C. Brockelmann, A. Conrady, and O. Nachod, as part of the *Weltgeschichte* edited by J. v. Pflugk-Harttung (1910, pp. 13, 652).

Longmans, Green, and Company announce *The International Relations of the Chinese Empire: the Period of Conflict, 1834-1860*, by Hosea Ballou Morse, Chinese commissioner of customs, with illustrations, maps, and diagrams. Mr. Morse is author of *Trade and Administration of the Chinese Empire*, published in 1908.

There has been published in London (Luzac and Company), and Leyden (Brill), as vol. XII. of the E. J. W. Gibb Memorial Series a volume by E. Blochet entitled *Introduction à l'Histoire des Mongols de Fadl Allah Rashid ed-Din* (1910, pp. 398). This important work has hitherto been known in the West only in fragments and M. Blochet has now entered upon a complete edition. He shows in the present introductory volume that the whole Persian literature as to the Mongols rests

on the work of Rashid ed-Din, and discusses the conditions of the available manuscripts.

The *Archiv für Religionswissenschaft*, XIII. 4, contains an extended bibliographical review by H. Oldenberg, under the title "Der Indische Buddhismus, 1907-1910".

Messrs. MacLehose will publish shortly in their series of seventeenth-century books of travel a new edition of *An Historical Relation of the Island of Ceylon* by Robert Knox, a *Captive there for Twenty Years*. This edition will contain the recently discovered autobiography of Knox's later life.

## AMERICA

### GENERAL ITEMS

The Carnegie Institution of Washington has just published Professor Carl R. Fish's *Guide to the Materials for American History in Roman and Other Italian Archives* (pp. 289), listing *spolia opima*, chiefly from the archives of the Vatican and the Propaganda, and followed immediately by Professor William H. Allison's *Inventory of Unpublished Materials for American Religious History, chiefly in Protestant Church Archives* (pp. 254), listing the contents of several scores of repositories. Galley-proof of Mr. David W. Parker's *Calendar of Territorial Papers in Government Archives at Washington* has mostly been read. Dr. Paullin has completed his researches in London for the *Guide to Materials for the History of the United States since 1783 in London Archives* prepared by him and by Professor Paxson. The British government kindly consented that the researches for this book in the Foreign Office, Colonial Office, and Home Office papers, and some others, should, with some minor reservations, be extended beyond the usual date of 1837 to the year 1860.

A lectureship on the history and institutions of the United States has been established at the University of Oxford, with the expectation that American scholars will be selected to deliver the lectures, and that they will deal with the political, institutional, economic, or social history of the country. The first lectures are expected to be given in the summer of 1911.

A revised edition of Professor Channing and Hart's very useful *Guide to the Study of American History* (Boston, 1896) is being prepared by Professors Channing, Hart, and Turner, and will be issued in a few months.

The Superintendent of Documents has published as *Price List 50* a considerable list, of 116 small pages, of the United States public documents which he has for sale relating to political and military history, biography, diplomatic relations, and the like. This price list can be had gratis on application.

The School of American Archaeology, sustained by the Archaeological Institute of America, and having its headquarters in the Old Palace at Santa Fé, resumed early in 1911 its excavations at Quirigua in Guatemala, continuing its "first campaign" of 1910 for the study of the monuments of southern Maya culture. In co-operation with the Bureau of American Ethnology, and with the aid of Dr. A. F. Bandelier, it will continue its ethnological survey of the Rio Grande valley. In August it will maintain a summer school at El Rito de los Frijoles, New Mexico.

The Association of History Teachers of the Middle States and Maryland held its annual meeting in Washington on March 10 and 11, the chief historical paper being by Professor James T. Shotwell of Columbia University, on the Social Point of View in the Teaching of History. The New England Association of History Teachers is to meet at Dartmouth College on May 11, 12, and 13.

It is announced that the Houghton Mifflin Company will publish in the spring *The Origin and Growth of the American Constitution*, by Hannis Taylor, similar in character to the author's work on the English constitution.

Professors Carl R. Fish and Frederic L. Paxson have undertaken to publish, through the medium of the Wisconsin Academy of Arts and Sciences, a complete series of maps illustrating congressional elections. These maps will be published from year to year until completed, when they will be brought together and issued as a single publication.

The Albert Shaw Lectures in American diplomatic history, annually given at the Johns Hopkins University, will this spring be given by Dr. Charles O. Paullin, his subject being that of the diplomatic services and activities of American naval commanders and other officers.

*Senate Document No. 831* of the third session of the Sixty-First Congress is a compilation of reciprocity treaties between the United States and foreign powers.

G. P. Putnam's Sons have issued *The Commercial Power of Congress, considered in the Light of its Origin*, by W. D. Brown. The author treats of "the origin, development, and contemporary interpretation of the commerce clause of the Constitution from the New Jersey representations of 1778 to the embargo laws of Jefferson's administration".

The lectures of President Benjamin Ide Wheeler as Roosevelt professor in the University of Berlin have been issued in Strassburg by Trübner with the title *Unterricht und Demokratie in Amerika*.

The J. B. Lippincott Company announces *A Short History of the United States Navy*, by Captain George R. Clark, U. S. N., and other naval officers. The aim of the writers is to present a straightforward account of naval affairs from a professional point of view.



Dr. David Kinley's work *The Independent Treasury of the United States*, which was published in 1893, has been revised and brought down to date by the author and is now issued by the National Monetary Commission under the title *The Independent Treasury of the United States and its Relations to the Banks of the Country* (Washington, Government Printing Office, 1910, 61 Cong., 2 sess., *Sen. Doc. No. 587*, pp. 370).

The National Monetary Commission has issued *State Banks and Trust Companies since the Passage of the National-Bank Act*, by Professor George E. Barnett of Johns Hopkins University (Washington, Government Printing Office, 1911, pp. 366). Part I. of the book treats analytically and historically of state-bank and trust-company legislation. In part II. the author examines in particular the causes of the growth of state banks and trust companies. There are numerous statistical tables throughout the book. A study of "The Insurance of Bank Deposits in the West", two articles written by Thornton Cooke for the *Quarterly Journal of Economics* (November, 1909, and February, 1910) constitutes an appendix of 90 pages.

The American Book Company sends us *Makers and Defenders of America*, by Misses Anna E. Foote and Avery W. Skinner, intended to instruct school-children in the history of the period since 1763 by reading-matter chiefly biographical. It is moderately interesting but without distinction, and abounds in errors.

Part I. of Bulletin 30 of the Bureau of American Ethnology, first volume of its *Hand-Book of American Indians North of Mexico*, edited by Frederick W. Hodge, was published in 1907 and comprises the articles for the letters A to M in what is really an encyclopaedia of matters relating to the American Indians. Part II. (pages 1221) has now been issued and includes besides the articles from N to Z a "synonymy" of names extending to more than 150 pages and an extensive bibliography. The book, as now completed, is doubtless the most comprehensive and authoritative book on American Indians yet published, its articles being written by the best experts and its editing remarkably careful, competent, and scholarly.

Bulletin 45 of the Bureau of American Ethnology is *Chippewa Music* (pp. xix, 216), by Frances Densmore. Miss Densmore has made a careful study of the music of the Chippewa Indians on several of the reservations in Minnesota and besides presenting a scientific study of the characteristics of the music of the Chippewas has recorded by means of a phonograph two hundred of their songs, which are given in this volume together with explanatory narratives and analyses. Bulletin 37 of the Bureau's series is *Antiquities of Central and Southeastern Missouri* (pp. vii, 116), by Gerard Fowke. The work recorded in this volume was done under the auspices of the St. Louis Society of the Archaeological Institute of America.

Mr. Alfred Söderström of Minnesota has brought together a body of material for a history of the Swedish press in America, which he has published under the title *Blixtar på Tidningshorisonten*. Mr. Söderström has listed Swedish-American newspapers and other periodical publications to the number of 1158.

Mr. Samuel Oppenheim has published a monograph on *The Jews and Masonry in the United States before 1810*.

The *Journal of American History*, vol. V., no. 1, contains an account by H. M. Baker of the siege of Louisburg in 1745; a sketch of William Cocke, one of the first senators from Tennessee, by William Goodrich; and a short account of prison ships in the American Revolution, by C. E. West. From the *Journals* of the Princeton Historical Association is taken the account by an eye-witness of the battle of Princeton, edited by V. L. Collins. The printing of the orderly books of Ensign Samuel Talmadge continues.

In the October number of the *Magazine of History* is an outline history of "The American Thanksgiving", by Mary C. Sweet, the second paper on Pennsylvania county names, by George R. Prowell, and the concluding paper of Malcolm G. Sausser entitled "An American Loyalist: Moody of New Jersey". In the November number appears an article on the practical work of the Daughters of the Revolution in North Carolina, by Mary Hilliard Hinton.

#### ITEMS ARRANGED IN CHRONOLOGICAL ORDER

It is expected that the third volume of Rev. Thomas J. Campbell's *Pioneer Priests of North America* will shortly come from the press.

*The Beginnings of the American Revolution*, by Ellen Chase (New York, the Baker and Taylor Company), traces colonial protest through its various forms and degrees to Gage's proclamation of June 12, 1775. The work, which is three volumes in extent and illustrated, draws largely on documentary sources, but concerns itself chiefly with the vicinity of Boston.

Mrs. Danske Dandridge of Shepherdstown, West Virginia, has prepared a general account of the *American Prisoners of the Revolution* (1911, 500 pp.), published and sold by the author.

New volumes in Small, Maynard, and Company's series *The Beacon Biographies* are *Benjamin Franklin*, by Lindsay Swift, and *George Washington*, by Worthington Chauncey Ford.

The *Records of the American Catholic Historical Society* for December prints under the caption "Propaganda Documents; Appointment of the First Bishop of Baltimore" translations of the "Documents relative to the Adjustment of the Roman Catholic Organization in the United States to the Conditions of National Independence, 1783-1789",

which appeared in the issue of this journal for July, 1910. Rev. E. I. Devitt, S. J., furnishes an introduction to the translations.

Dr. James A. Robertson has edited a series of documents, hitherto unpublished, which portray the social, economic, and political conditions in the territory represented in the Louisiana purchase, to which he has given the title *Louisiana under the Rule of Spain, France, and the United States, 1785-1807*. Volume I. has already appeared (Cleveland, Arthur H. Clark Company).

Professor Farrand's *Records of the Federal Convention* has just been published by the Yale University Press; all copies, both of the *édition de luxe* and of the regular first edition, were subscribed for before publication, but there will be other issues.

George W. Jacobs and Company have brought out *Historic Dress in America, 1800-1870*, by Elizabeth McClellan, whose previous volume dealt with the period 1607-1800.

*A Life of Andrew Jackson*, by Professor John S. Bassett, is expected to be published in May.

*The Life of Hiram Paulding, Rear-Admiral, U. S. N.*, by Rebecca Paulding Meade (New York, Baker and Taylor Company, pp. xi, 321), is essentially a collection of episodes in Paulding's life. Two chapters, relating to a visit to Simon Bolívar, are taken from Paulding's *Bolívar and his Camp*. One chapter is concerned with the capture of William Walker, the filibuster. Considerable use is made of Paulding's journal, and several letters to and from him are printed in full.

A question which has been considerably debated of late is discussed, with additional facts, in the pamphlet *Was Secession Taught at West Point?* (pp. 40), a paper by Lieutenant-Colonel James W. Latta, published by the Pennsylvania Commandery of the Military Order of the Loyal Legion.

*General W. T. Sherman as a College President*, by David F. Boyd, late president of Louisiana State University, appears as a university bulletin of that institution, being reprinted from the April (1910) issue of *The American College*.

The American Philosophical Society have published separately *The Great Japanese Embassy of 1860*, a paper read before the society in April, 1910, by Patterson Du Bois.

*The Story of a Cannoneer under Stonewall Jackson*, by E. A. Moore, describes the part taken by the Rockbridge artillery in the Army of Northern Virginia. An introduction to the book is furnished by Robert E. Lee, jr., and H. St. George Tucker (Lynchburg, J. P. Bell Company).

*Gettysburg: the Pivotal Battle of the Civil War*, by R. K. Bucham, is announced by A. C. McClurg and Company.

Major-General Grenville M. Dodge has brought out through the Monarch Printing Company, Council Bluffs, Iowa, *The Battle of Atlanta and other Campaigns, Addresses, etc.*

General Basil W. Duke has written his *Reminiscences*, which Doubleday, Page, and Company will publish.

*The Life of J. L. M. Curry*, member of Congress from Alabama before the Civil War, member of the Confederate Congress, and for many years agent of the Peabody Fund, has been brought out by the Macmillan Company. The authors are President E. A. Alderman and A. C. Gordon.

The New York State Library has issued as a bulletin ("Legislation 40") of the Education Department *American Ballot Laws, 1888-1910* (pp. 220), by Arthur C. Luddington. The monograph consists of a chronological survey, classification, and digest of the ballot laws, including also a digest of the constitutional and statutory provisions in regard to the use of voting machines.

Mr. Charles Morris has written a volume which he entitles *The Marvellous Career of Theodore Roosevelt*, etc. (Philadelphia, Winston). Another biography of the former president, which will shortly be issued by A. C. McClurg and Company, is that of Dr. Max Kullnick. The book will appear in a translation made by Professor Frederick von Rietdorf and will bear the title *From Rough Rider to President*.

#### LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

In the *New England Historical and Genealogical Register* for January the bibliography of lists of New England soldiers, by Mary E. Baker, is continued, as is also A. M. Dyer's contribution on "First Ownership of Ohio Lands".

At a meeting of the Maine Historical Society on December 14, Mr. George S. Delano delivered an address on "The Humanity of Historical Societies". At a meeting on February 16, a paper by Rev. Henry O. Thayer entitled "Sir William Phips and his Relations with his native Town of Woolwich" was read. The society has issued as volume XVI. of its documentary series a new volume of the *Baxter Manuscripts*. The state has published *York Deeds*, book 18, 1735-1737 (Bethel, pp. 654, 123).

The *Report* of the state historian of Maine for the years 1909 and 1910 reviews the legislation in behalf of the office of state historian and describes the work done during the past two years in assembling, arranging, and publishing the historical materials in his custody.

Much material on the Aroostook War and the northeast boundary question will be found in the first volume of the *Collections of the Piscataquis County Historical Society* (Dover, Maine, 1910, pp. 522).



*A History of the Town of Andover, New Hampshire, 1751-1906*, by J. R. Eastman, has been brought out in Andover by the committee on town history.

The October serial of the *Proceedings* of the Massachusetts Historical Society contains an account of Goldwin Smith's visit to the United States in 1864, by Mr. Worthington C. Ford, a suggestive paper on the campaign of 1777, by Mr. Charles Francis Adams, and the journal of Rev. Joseph Emerson, jr., a naval chaplain in the expedition against Louisburg in 1745. To the *Proceedings* for November Mr. Adams contributes a paper on "Contemporary Opinion on the Howes", and Mr. Ford one on "Parliament and the Howes". These articles are the outgrowth of an examination of three volumes of pamphlets in possession of the society, once a part of the library of Israel Mauduit and containing liberal annotations by Mauduit and some by Joseph Galloway. An account of these pamphlets is appended by Mr. Ford to his paper. Professor J. F. Jameson contributes Plymouth letters of John Bridge and Emmanuel Altham to James Sherley, 1623 and 1624. In the December serial, under the title "The Weems Dispensation", Mr. Charles Francis Adams discourses upon Washington's military conduct in the Long Island campaign. An Indian deed for Nauset, 1666, is also printed, and the diary of Rev. Joseph Emerson, jr., for 1748-1749. The January issue contains a discussion of the maximum marching rates of infantry, by Mr. Charles Francis Adams; an account of the last blockade run of the *Sumter*, by one of its officers; certain remarkable political letters of Jonathan Russell to Henry Clay and John Quincy Adams in 1815; several papers relating to the trial of Anthony Burns; and a journal of a visit to the "western country" in 1845, by the late W. W. Greenough.

Professor Everett Kimball of Smith College has in press a book on *The Public Career of Joseph Dudley*.

The *Essex Institute Historical Collections* continues in the January number the list of prizes and recaptures (1813-1814) taken from the records of the vice-admiralty court at Halifax, Nova Scotia, and the Revolutionary orderly book of Captain Jeremiah Putnam of Danvers, Massachusetts, in the Rhode Island campaign, 1779.

The Macmillan Company have published *The Siege of Boston*, by Allen French.

The late Miss Gertrude S. Kimball left a manuscript on *Colonial Providence*, which will be published in elaborate form by the Houghton Mifflin Company.

Mr. Anson Phelps Stokes, jr., has prepared a descriptive list, chronologically arranged, of engraved views of New Haven, which he has brought out with the title *Historical Prints of New Haven, Connecticut, with special reference to Yale College and the Green*. A useful table of local dates is added.

The managing editor wishes to point out an important erratum on page 75 of his *Narratives of New Netherland*. The date of the sailing of the *Nieu Nederlandt* and the planting of the first colony in the province has long been held to have been 1623. This rests (hitherto) solely on a passage in Wassenaer. The editor was convinced by arguments of Mr. van Laer that the true meaning was 1624. The correction was sent to the printers of the book, but just failed to arrive in time. If the effect of this should be to help in perpetuating a wrong date for the founding of one of our thirteen colonies, the erratum may be worth mentioning in these pages.

The papers of the manor of Rensselaerswyck and of the Van Rensselaer family have been transferred by the family to the New York State Library under an agreement that provides for making this material available for the purposes of historical research. The collection contains about 200 volumes of documents, half of them in Dutch and belonging to the period prior to 1700, and about 25,000 papers relating for the most part to the administration of the manor for two hundred years. Beside family letters, land patents, deeds, maps, leases, etc., the collection includes proceedings of the court of the colony, resolutions of the commissioners, and letters of Arent van Curler, Peter Stuyvesant, and the first four English governors. The State Library has also secured a collection of papers of Dr. E. B. O'Callaghan, which includes 700 or 800 letters, chiefly of the period 1860-1880, and O'Callaghan's own papers dealing with Indian names, Jesuit relations, etc.

The state historian of New York announces for publication within the current year the *Minutes of the Committee of the City and County of Albany, 1775-1778*, in three volumes, to be completed by an analytical index; also the first volume of an analytical index to the eight printed volumes of the *Public Papers of Governor George Clinton*. A similar index to the *Minutes of the Executive Council of the Province of New York: Administration of Francis Lovelace, 1668 to 1673*, which was recently published in two volumes, will shortly be begun.

The *Report* of the director of the New York State Library for 1909 (issued in January, 1911) includes an account of the accessions to the manuscripts section and in particular a descriptive list of the "Van Rensselaer Bowier Manuscripts, series 2".

The *Historic Mohawk*, by Mary Riggs Diefendorf (Putnam, pp. xiv, 331), is not so much a connected narrative as a series of essays upon salient features of the valley's history, with a considerable number of hitherto unpublished documents.

Mrs. Mary McArthur Tuttle, widow of the late Professor Herbert Tuttle, has presented to the library of Cornell University the books on which his *History of Prussia* was mainly based.

Mr. Stan. V. Henkels contributes to the *Pennsylvania Magazine of*

*History and Biography* for October an interesting series of letters from Thomas Jefferson to William Wirt, 1805 to 1816, to which is given the caption "Jefferson's Recollections of Patrick Henry", but which embody recollections not directly connected with Henry's career. The *Magazine* prints also an autobiographical sketch of General John Burrows of Lycoming County, Pennsylvania, which, though written in 1837, embodies recollections of military events in the Revolution. The orderly book of General Muhlenberg (1777) is continued. In the department of "Notes and Queries" appear several letters of interest: General Sullivan to President Hancock, October 6, 1777; General Washington to General Smallwood, March 21, 1778; James McHenry to Elias Boudinot, July 2, 1778; Robert Morris to General Anthony Wayne, March 27, 1795; and William Findley to General William Irvine, March 30, 1798.

Mr. James Hadden of Uniontown, Pennsylvania, has issued a reprint of *The Monongahela of Old: or Historical Sketches of South-Western Pennsylvania to the Year 1800*, by James Veech.

The *Bulletin* of the Virginia State Library for October contains in 73 pages a valuable annotated bibliography of the conventions and constitutions of Virginia including references to essays, letters, and speeches in the Virginia newspapers and a variety of information.

The *Virginia Magazine of History and Biography* for January prints under its running caption "Miscellaneous Colonial Documents" a number of letters from Nathaniel Blakiston, agent for Maryland and Virginia, to the governor and council of Virginia, 1705 to 1709, and a letter from Philip Ludwell to Edward Jennings, 1709, in regard to a negro plot. The material from the Randolph manuscript relates to the years 1685-1686. Appearing in this issue are some items from the Sir William Johnson papers, among them the proceedings of a council of officers held at Fort Loudoun, March 30, 1758, to consider a proposal of peace affecting the Southern Indians. The Revolutionary army orders printed in this issue are of Wayne's light infantry corps, September to October, 1779. Mention may also be made of a diary of a journey to Ohio and Kentucky in 1805 by Henry Bartlett.

The *William and Mary College Quarterly Historical Magazine* for January prints part of an address by the editor upon "The Medical Men of Virginia", delivered in Richmond in May, 1910. Mr. Lewis Beckner contributes parts of a Caroline County survey book now found in Alexandria, Kentucky, and Mr. A. J. Morrison a note on "Mabinogion of the West". There is also a letter of John Tyler to the editor of the *Boston Times*, September 28, 1843.

Mr. D. R. Anderson of Richmond College, Richmond, Virginia, is collecting material for a life of William B. Giles, United States senator, 1804-1815, and governor of Virginia, 1827-1830, and would appreciate information concerning letters of Giles or other material bearing on his life.

J. P. McConnell is the author of a small volume entitled *Negroes and their Treatment in Virginia from 1865 to 1867* (Emory, Virginia, published by the author).

It is announced that Professor John W. Wayland, whose work *The German Element of the Shenandoah Valley* appeared a short while ago, has in preparation a *History of Rockingham County, Virginia*, which will be published by Ruebush-Elkins Company of Dayton, Virginia.

The "Third Biennial Report of the North Carolina Historical Commission", which is issued as Bulletin No. 9 of the commission's *Publications* and is in fact the report of the secretary of the commission, Mr. R. D. W. Connor, gives a detailed account of the work done by the commission during the past two years. Especial mention should be made of the descriptive memoranda of the contents of several collections of manuscripts in the custody of the commission, particularly the David L. Swain papers, the Charles E. Johnson collection, the papers of Zebulon Vance, the papers of Major-General Bryan Grimes, and the E. J. Hale collection, the latter emanating from the editorial office of the *Fayetteville Observer* and relating to the years 1832-1869. One-half of the report describes historical activities in North Carolina, 1909-1910.

The North Carolina Historical Commission has recently received about 1000 manuscripts of considerable interest. Among them are a number of letters and other documents relating to the mission, composed of Chief Justice Ellsworth, Governor William R. Davie, of North Carolina, and William Vans Murray, which President Adams sent to France in 1799 to settle the differences between France and the United States. They embrace letters of the Secretary of State, Timothy Pickering, Oliver Ellsworth, and notes and memoranda kept by the American ministers during the negotiations.

The general assembly of North Carolina, in its recent session, made an appropriation of \$250,000 for the erection of a fireproof building for the housing of the Historical Commission, the State Library, the Hall of History, and the Supreme Court and its library and records.

Dr. Stephen B. Weeks's index to the colonial and state records of North Carolina will, it is hoped, be ready for distribution some time during the present year.

Professor J. G. de Roulhac Hamilton of the University of North Carolina is collecting material for a biography of Governor James Hamilton of South Carolina and would be grateful for letters, copies of letters, or information.

In the *South Carolina Historical and Genealogical Magazine* for October, 1910, Mr. H. A. M. Smith continues his series of articles on the baronies of South Carolina by one on Fairlawn. The January number adds one on the Cypress Barony. It also contains three letters of Rawlins Lowndes, 1778-1779.



The paper of chief historical value in the *Quarterly of the Texas State Historical Association* for January is "Apache Relations in Texas, 1718-1750", by W. E. Dunn, a paper based upon an extensive study of the sources. Mr. H. Y. Benedict contributes a biographical sketch of the late Professor Garrison, and Mr. A. W. Terrell a memorial address on Stephen F. Austin.

*A Texas Pioneer: Early Staging and Overland Freighting Days on the Frontier of Texas and Mexico*, by August Santleben, edited by I. D. Affleck (Washington, Neale, 1910, pp. 321), is replete with reminiscences of many sorts but possesses especial interest for its description of the conditions and methods of transportation on the Texan and Mexican frontiers from about 1865 to 1880, conditions and methods now obsolete. Some added chapters treat in particular of the colonizing project of Henry Castro about 1844.

*Hood's Texas Brigade: its Marches, its Battles, its Achievements* (Washington, Neale, pp. 347) is the work of Mr. J. B. Polley, a member of the brigade, who was selected as brigade historian by the organization of survivors and commissioned to write a "fair and impartial history" of the brigade. "The thread of it", says the author, "is spun almost entirely out of material furnished by the memories and diaries of himself and his comrades", as little documentary material relating to the services of the command has survived.

The *Ohio Archaeological and Historical Quarterly* publishes in its January issue the address of Professor Frederick J. Turner, "The Place of the Ohio Valley in American History", delivered before the Ohio Valley Historical Association at Frankfort in October, 1909. Mr. A. B. Stout contributes to this issue of the *Quarterly* a description of the prehistoric earthworks in Wisconsin, and Mr. Basil Meek an account of General Harmar's expedition against the Indians in 1790. Embraced in the article are the diary of General Harmar, September to November, 1790, Major Ferguson's report of the expedition, the statement of Ensign Britt, and the diary of Lieutenant Denny. Most of these documents are from the Draper manuscripts.

The *Quarterly Publication of the Historical and Philosophical Society of Ohio*, in the July-September number, presents reprints of John Cleves Symmes's circular "To the Respectable Public" issued from Trenton November 26, 1787, relative to the Miami purchase, and Symmes's letter to Elias Boudinot, January 12, 1792, relating to the disastrous expedition under St. Clair in 1791. The letter is printed from the original in possession of the society.

Mr. Logan Esary writes for the December issue of the *Indiana Quarterly Magazine of History* an account of the first Indiana banks.

The Illinois State Historical Library expects to publish in the course of the year 1911, three volumes of George Rogers Clark papers, edited

by Professor J. A. James. It has just issued vol VII. of its *Collections*, namely, *Governors' Letter-Books, 1840-1853* (pp. cxvii, 469), edited by Messrs. Evarts B. Greene and Charles M. Thompson.

The Chicago Historical Society has published as separate pamphlets *The Indian as a Diplomatic Factor in the History of the Old Northwest*, by Professor I. J. Cox, and *The Preamble and Boundary Clauses of the Illinois Constitution*, by Herman G. James.

Mr. Charles H. Conover has presented to the Chicago Historical Society his unrivalled collection of Lewis and Clark literature. The society has also acquired the manuscript autobiography of Gurdon S. Hubbard, and the log-book of the *Dunmore*, Captain Alexander Harrow, British armed schooner on the Lakes, 1791-1792. It intends to commemorate the Fort Dearborn massacre of August, 1812, by a volume of documents on Fort Dearborn, to be edited by Mr. Milo M. Quaife.

The *Proceedings* of the State Historical Society of Wisconsin for 1910 include, besides the usual annual reports, a number of historical papers. Professor B. F. Shambaugh discourses upon some general aspects of the history of the West and the pioneers; Professor Carl Russell Fish discusses the relation of archaeology and history; Mr. Gustave de Neveu a Menominee Indian payment in 1838; Mr. Andrew McFarland Davis relates his experiences as an engineer in making a preliminary railroad survey in Wisconsin in 1857; and Messrs. S. A. Sherman and C. C. Lincoln describe in separate articles the methods and experiences of lumber rafting in Wisconsin River. The society has in preparation a third volume of documentary material from the Draper manuscripts, designed as a continuation of *The Revolution on the Upper Ohio*, published three years ago. Embraced within the librarian's report are a report by Mr. Leo F. Stock upon his researches among the Federal archives for material relating to Wisconsin, a report by Dr. Louise P. Kellogg of similar investigations in the library of Mr. Clarence M. Burton of Detroit, and the report of the Committee of Seven on co-operation of historical departments and societies in the calendaring of material in France relating to the history of the Mississippi valley.

In commemoration of the centennial anniversary of its independence, the Mexican government has begun the publication, in sumptuous form, of the series of eighteen volumes of *Documentos Inéditos para la Historia de la Guerra de Independencia Mexicana* formerly described in advance in these pages (XIII. 710). They are edited by Señor Genaro García, and issued by the National Museum. Six volumes of this highly important collection have now appeared, in an order differing from that stated in our earlier note.

The Minnesota Historical Society issued in December a *Report* by the museum committee on the Kensington rune stone. The society has published an address delivered before it in February by Samuel G. Querson on *The Public Lands and School Fund of Minnesota*.

The leading article in the January number of the *Iowa Journal of History and Politics* is an essay by Clifford Powell entitled "The Contributions of Albert Miller Lea to the Literature of Iowa History". "Andersonville and the Trial of Henry Wirz" is by General John Howard Stibbs, who was a member of the court that tried Wirz.

Professor F. I. Herriott writes for the July-October issue of the *Annals of Iowa* an account of the Republican state convention which met in Des Moines in January, 1860, liberally quoting contemporary comments on the conclusions of the convention. Under the caption "Across the Plains in 1850" are printed the journal and letters of Jerome Dutton, written during an overland journey from Iowa to California.

Judge John F. Philips contributes to the October number of the *Missouri Historical Review* an article on "Hamilton Rowan Gamble and the Provisional Government of Missouri". In the same issue is printed a list of newspaper files in the library of the State Historical Society of Missouri.

The third volume of the *Publications* of the Arkansas Historical Association is expected soon to appear. It will contain a study of the constitutional convention of 1836, by Jesse Turner, and a history of the regulation of transportation in Arkansas, by Samuel W. Moore. Measures pending before the state legislature provide for the maintenance of the Arkansas History Commission, for the support of its publications, and for the control of archaeological remains by the commission.

Volume XI. of the *Collections of the Kansas State Historical Society* (Topeka, pp. xxii, 742) contains articles on the Swedish and German-Russian settlements, the Wyandotte constitution, etc.

Mr. T. C. Elliott contributes to the September issue of the *Quarterly of the Oregon Historical Society* a paper on "Peter Skene Ogden, Fur Trader". Professor F. G. Young's article on the financial history of Oregon relates to public expenditures.

Mr. Frederick V. Holman delivered before the Oregon Bar Association on November 15, 1910, an address in which he discussed certain amendments to the state constitution through the initiative and referendum and reviewed the course of court decisions relating to them. The address has been printed with the title *Some Instances of Unsatisfactory Results under Initiative Amendments of the Oregon Constitution* (Portland, 1910, pp. 46).

Mr. Irving B. Richman's *California under Spain and Mexico* will soon be published by the Houghton Mifflin Company.

By *Ox Team to California: a Narrative of Crossing the Plains in 1860* (pp. xi, 139), by Lavinia Honeyman Porter, is published in an edition of fifty copies by the Oakland Enquirer Publishing Company, Oakland, California. The narrative is in large measure drawn from a journal kept by the author.

*A Senator of the Fifties: David C. Broderick of California*, by Jeremiah Lynch (San Francisco, A. M. Robertson), possesses its chief interest in the history which it gives of the early days in California, particularly of the vigilance committees. Broderick was a member of the constitutional convention of 1849, entered the Senate of the United States in 1857, and was killed in a duel by D. S. Terry in 1859.

*The Adventures of James Capen Adams, Mountaineer and Grizzly Bear Hunter of California*, by Theodore H. Hittell, was published in Boston and San Francisco in 1860 but has long been out of print. A new edition, which Charles Scribner's Sons have just issued, is identical in form and illustrations with the old, except that the author has furnished an introduction and a postscript. Although the book contains reflections that must be attributed to the writer rather than to the hunter these adventures give a good picture of the woodcraft of the region in the fifties and are interesting in themselves.

Recent accessions to the Canadian archives embrace, besides the Durham papers, Lady Durham's journal of 1838; Buller's account of the Durham mission; a body of copies of the letters written by various statesmen to Queen Victoria on Canadian affairs from 1837 to 1866; the Russian and the American correspondence of Sir Charles Bagot; the journals and letters of Charles Grey at the time of his mission to Washington, 1838-1839; ten additional volumes of Selkirk papers; and some two hundred original maps. Of transcripts, the Dominion archives have also acquired twelve books of the Hudson's Bay Company, 1693-1707; four volumes of Nova Scotia papers; two volumes of Shelburne manuscripts; and several volumes from the archives of Paris.

Mr. Hector Garneau, grandson of François Xavier Garneau, is preparing for publication a new edition of the latter's *Histoire du Canada* (first ed., 1845-1852, fourth, 1882-1883), of which the first volume will appear in the present year.

Heft 14 of Lamprecht's *Beiträge zur Kultur- und Universalgeschichte* is entitled *Beiträge zur Charakteristik der älteren Geschichtsschreiber über Spanisch-Amerika: Eine biographisch-bibliographische Skizze* (Leipzig, R. Voigtländer, 1911, pp. xii, 338).

*Diaz: Master of Mexico*, by James Creelman (New York, Appleton, pp. ix, 442), is an effort to co-ordinate the life of Diaz with the history of Mexico as a whole. The author has had many facilities for the performance of the task which he assumed, including access to the private memoirs of Diaz. The result is at least a picturesque view of Mexican history during three quarters of a century.

*The Argentine Republic; its Physical Features, History, Fauna, Flora, Geology, Literature, and Commerce*, by A. Stuart Pennington (London, Stanley Paul), contains a comprehensive history of Argentina, comprising about half the contents of the volume.



Noteworthy articles in periodicals: W. H. Holmes, *Some Problems of the American Race* (American Anthropologist, n. s., XII. 149-182); E. Vejera, *Cristóbal Colon, Genovés, no Judío-Gallego* (Ateneo, and Revista Bimestre Cubana, July-October); G. B. Hertz, *Bishop Seabury* (English Historical Review, January); B. W. Bond, jr., *A Colonial Side-light* (Sewanee Review, January); W. C. Ford, *Washington at the Crisis of the Revolutionary War* (Century, March); Mrs. J. Van Vorst, *American Society in 1783 as seen by two French Noblemen* (Lippincot's, February); H. E. Hoagland, *Early Transportation on the Mississippi* (Journal of Political Economy, February); H. F. Griffin, *The Gerry-mander* (Outlook, February); C. O. Paullin, *Early Voyages of American Naval Vessels to the Orient*, IX. (United States Naval Institute Proceedings, December); E. V. O'Hara, *Francis Norbert Blanchet, the Apostle of Oregon* (Catholic University Bulletin, December); J. S. Bassett, *James Knox Polk, President* (South Atlantic Quarterly, January); C. W. Moores, *The Career of a Country Lawyer: Abraham Lincoln* (American Law Review, November-December, January February); General Nelson A. Miles, *The Last Days of Rebellion* (Cosmopolitan, March); P. A. Bruce, *The National Spirit of General Lee* (South Atlantic Quarterly, January); Gamaliel Bradford, *Lee and the Confederate Government* (Atlantic Monthly, February); A. R. H. Ranson, *General Lee as I knew him* (Harper's, February); G. H. Putnam, *The Civil War Fifty Years After* (Review of Reviews, March); W. P. Few, *The College in Southern Development* (South Atlantic Quarterly, January); H. J. Ford, *The Cause of Political Corruption* (Scribner's, January); Frederick McCormick, *How America got into China* (Century, January); Mrs. Burton Harrison, *Recollections Grave and Gay* (Scribner's, March); Hector Garneau, *François Xavier Garneau* (Bulletin du Parler Français au Canada, February); Abbé A. Gosselin, *La Mission au Canada avant Mgr. de Laval* (Revue Catholique de Normandie, 1909); L.-A. Prud'homme, *Les Compagnies de la Baie d'Hudson et du Nord-Ouest*, cont. (La Nouvelle France, January); P. Miguélez, *La Independencia de México*, VI., VII. (La Ciudad de Dios, January 5, 20).

The

## American Historical Review

A NEW FRAGMENT ON LUTHER'S DEATH, WITH  
OTHER GLEANINGS FROM THE AGE OF  
THE REFORMATION<sup>1</sup>

WE Americans are wont to think of the materials for the first-hand study of Old-World history as to be found only on the far side of the Atlantic. So indeed in the main they are, and so they may well remain. Yet there exists among us at least one source of gleaning which is too much overlooked. I mean the manuscript jottings on the fly-leaves and margins of our old books. May I undertake from the shelves of a single university library to illustrate their worth even to the student of the age of the Reformation?

When, a few months ago, I read with deep interest of the discovery, in an old book of the library of the Lutheran Theological Seminary at Mt. Airy, Philadelphia, of an unprinted and hitherto unknown account of the death of Martin Luther, and of its recognition by the highest authorities as the work of a contemporary and an eye-witness, Hans Albrecht, the town clerk of Eisleben, in whose house Luther died,<sup>2</sup> I was quickened to a fresh interest in these manu-

<sup>1</sup> The greater part of this paper was read before the American Society of Church History at its meeting in New York, December 30, 1910.

<sup>2</sup> A full account of this discovery, with a facsimile of the manuscript, is given by Professor Spaeth, its finder (alas, since June, 1910, no longer living), in last year's April issue of *The Lutheran Church Review* (Philadelphia). An article upon it had already been published by an eminent German student of the Reformation, Professor Wilhelm Walther, in the *Allgemeine Lutherische Kirchenzeitung* of February 18, 1910, and his conclusions had been confirmed by such fellow-authorities upon Luther as Professors Buchwald and Kawerau. The manuscript, more than two folio pages in length, is written upon the final fly-leaf and the back cover of an old volume of Luther's *Sommerpostille* (Wittenberg, 1544), and narrates both the death of the Reformer and the funeral ceremonies at Eisleben. That it is Hans Albrecht's autograph has not yet been established, though the legal hand lends probability to that assumption. My inquiries regarding it found Professor Spaeth no longer living, and I am indebted to the courtesy of his colleague and fellow-historian Professor Jacobs for a copy of the facsimile. He

script memoranda; but I little dreamed that so soon I could report a trifle of new evidence on precisely the same much-debated episode.

Glancing the other day over a shelf of old Bibles in the Cornell University Library, my eye lighted on a bulky folio which had hitherto escaped my notice. Drawing it out I found it a copy of Luther's German version and printed at Wittenberg by Hans Lufft in 1546, the year of the translator's death.<sup>3</sup> Its library marks showed me that it was one of those bought in 1895 by our department of German for its study of the growth of the German language; and, as these were long retained in its private keeping, I understood why the volume now first met my eye. It was an ancient tome, still in the stamped hogskin of the sixteenth century, with one clasp yet performing its office. It had clearly seen hard usage. The title-page was missing—though carefully supplied in manuscript by some modern hand—and many of the leaves were patched or mounted. Moreover, all had evidently suffered from the binder's knife, and that before it gained its present binding; for the marginal annotations which abounded, all in sixteenth-century script, showed mutilation at top and bottom and fore-edge alike.

It was these annotations which caught my interest, and that which first tempted my study gave me at once a date. It was on the leaf following the title-page, where thrones the portrait of John Frederick of Saxony in full electoral regalia, that I read the words, dim but legible, at the right of the Elector's face:

"Ich hoff, O Herr von Sachsen,  
Der Rautte-Krantz wird wider wachsen.  
1548."

Or, in English rhyme as rude as the German,

"I hope, O Lord of Saxony,  
The wreath of rue will grow again for thee.  
1548."

The last figure of the date was questionable; but the wish could have been uttered only after the rout of Mühlberg, in 1547, had cost the Elector his liberty and his "wreath of rue"—ornament of the Saxon arms and emblem of the Saxon land. I turned two or three pages to another picture—that of the Creation, facing the beginning of the book of Genesis—and beneath I read these words, written by

informs me that another account of the manuscript by Professor Spaeth, with illustrative facsimiles, will be published (of course in German) in Professor Buchwald's *Luther-Kalender* for 1911.

<sup>3</sup> A description of this edition may be found at p. 689 of *Die Deutsche Bibel* (in the Weimar edition of Luther's works), where this copy is duly registered as at "Ithaca, Neu York".





[illegible]

the same hand: "Philippus Melanthon pflegt zu sagen: Genesin soll ein Prediger all monat ein mal auss lesen"—"Philip Melanchthon is wont to say that Genesis a preacher should read through once every month." "Is wont to say": our annotator, then, was his familiar, perhaps his pupil. These notes were worth a careful study; and I turned back to begin it. Yet only a single leaf: for on the blank page immediately preceding—the reverse of that enumerating the books of the Old Testament—my eye fell on a half-page and more of the same old handwriting, this time in Latin. Its top line had been cut away by the binder, leaving only the lower tips of two or three letters; and at the fore-edge the first three or four letters of each line had similarly been sacrificed. But what was left of the opening letter of the top line seemed to show it a capital E; and the letters lost at the fore-edge were suggested more or less clearly by their context. Boldly supplying therefore what is gone (but putting in brackets all my additions), I transcribe what I found:

[Epistola cujusdam de obitu]  
Reverendi Doctoris Lutheri  
ad bonum amicum.

Hic omnia luctu plena sunt. Amisimus nostrum currum et verum  
[auri]gam in Israel: Doctor Martinus Lutherus mortuus est Islebiae,  
quo profectus erat  
[ad c]omponendum litem inter Comites de Anhalt admodum dissentien-  
tes. Placidissi-  
[me a]utem morte extinctus est. Cum coenasset, hilariter suo more cum  
convivis collo-  
[cutus] est, et iocatus supra modum amanter. Facta coena queritur de  
dolore praeri-  
[gor]osum. Adhibentur statim fomenta. Ait se melius habere. Itaque  
it suo more  
[cubit]um, et dormiit fere duabus aut tribus horis, deinde circa horam  
xii.  
[voca]t famulum et jubet calefacere hypocaustum. Surgit et incipit  
conqueri de  
[acri] dolore cordis. Statim accersitur D. Jonas, Chelius pastor; item  
[mox] comes Albertus una cum conjugē adcurrit. Ibi omnibus praesen-  
tibus in  
[lect]ulum inclinans dixit se sentire adesse finem vitae. Postea  
[in c]oelum suspiciens flexis manibus dixit Pater coelestis,  
[om]nipotens, aeternae et vive Deus, ago tibi gratias quod mihi  
[pat]efecisti filium tuum, Dominum nostrum Jesum Christum,  
[qu]em amavi ex corde meo, quem praedicavi, quem aliter [?] propug-  
[na]vi adversus omnes hostes tuos. Quaeso te, mi pater, libera me de  
[cor]pore hoc et animam meam in manus tuas accipe. Cum hoc  
[d]ixisset, iterum clamavit, Pater in manus tuas commendo  
[s]piritus meum. Sic enim Deus dilexit mundum ut filium  
[su]um unigenitum daret pro eo. Postea statim expiravit.

Haec est vera narratio, et qui aliter dicunt nihil de hac [re] sciunt. 1546.<sup>4</sup>

Or, in English :

[Letter of ——— regarding the death]  
of the Reverend Doctor Luther  
to a good friend.

Everything here is, full of grief. We have lost our chariot and true charioteer in Israel: Doctor Martin Luther has died at Eisleben, whither he had gone to settle a dispute between the Counts of Anhalt, who were somewhat at variance. Most peacefully, however, did he meet death. While at supper he conversed gaily, as usual, with his table companions, and jested with exceptional amiability. After supper he complained of very severe pain. Poultices were at once applied, and he said that he felt better. So he went to bed as usual, and slept some two or three hours, then about twelve o'clock called the janitor and bade him heat the sitting-room. He got up and began to complain of a sharp pain in the heart. Immediately Dr. Jonas was summoned, and Pastor Coelius; and soon Count Albert came running in, together with his wife. There, in the presence of all, lying on the couch, he said that he felt the end of his life to have come. Afterward, looking up into heaven, with folded hands, he said: "Heavenly Father, omnipotent, eternal and living God, I thank thee that thou hast manifested unto me thy son, our Lord Jesus Christ, whom I have loved from my heart, whom I have preached, whom in other wise I have championed against all thy foes. I beseech thee, my father, liberate me from this body, and into thy hands accept my soul." When he had thus spoken, he again cried out, "Father, into thy hands I commend my spirit. For God so loved the world that he gave his only-begotten son for its sake." Thereupon he forthwith gave up the ghost.

This is a true account, and whoever say otherwise know nothing about this matter.

Now it is evident that what we have here is not, like the precious narrative found by Professor Spaeth, the account of an eye-witness. The writer speaks of Luther not as having "come", but as having "gone", to Eisleben; and the phrase which he uses ("profectus erat") suggests that he writes from the place whence Luther set out—from Wittenberg. It was, of course, especially at Wittenberg that

<sup>4</sup> See the facsimile presented herewith. I have of course interpreted the abbreviations and taken the usual liberties with punctuation and capitals. The bracketed words are only guesses; but, with the exception of the top line, I trust they are correct. In the top line, however, what I have taken for the bottom of an initial E may belong instead to a capital L; and that the word can be *Epistola* seems almost forbidden by the presence, at about the place where the bottoms of its sixth and seventh letters should be, of two tips which look most like those of our annotator's double "s", though the first may belong to a "p" or a "q", and the second to an "f" or a single "s". These three are the only remnants of the top line left by the binder, certain other marks which at first sight seem such being, I think, only spatterings of the green dye applied by him to the edges of the volume after trimming. If what I have thought the bottom of its first letter is really so, the top line begins some three letters farther to the left than the line below it.



everything was full of grief at his death. But there is another phrase yet richer in suggestion. To the student of the occurrences at Luther's death those words about "the chariot of Israel" have a strangely familiar sound. They are of course a borrowing of the exclamation of Elisha at the fiery exit of his master Elijah;<sup>5</sup> but it is not our letter alone which borrows them. When, on the morning of February 19, twenty-four hours after Luther's death, the sad news was brought to Wittenberg by the letter which Dr. Jonas had at once addressed to his colleagues there and by that which, addressed by him to the Elector at Torgau, had forthwith been forwarded by that prince, it was Philip Melanchthon who was charged with the duty of announcing it to the students and their world. At his nine o'clock lecture on the Epistle to the Romans he laid before them the crushing message, and as he finished the account he exclaimed: "Ach, obiit auriga et currus Israel."<sup>6</sup> The phrase was still in his mind when, a little later that day, in the name of the university, he answered the letter of Jonas; and he wrote: "Erat ille omnino currus et auriga Israel."<sup>7</sup> Nor did his students forget the striking expression. Three days later the Nuremberger Hieronymus Besold, writing to Veit Dietrich of these events, quoted Melanchthon as declaring to the students that Luther was "truly the chariot and charioteer of Israel" (vere currus et auriga Israelis);<sup>8</sup> and the Carlstadter Adam Lindemann, after the lapse of a fortnight, still recalls (in a letter to his uncle, Johann Drach) how "Philip, when he announced to us Luther's departure, exclaimed: 'Ah, periit currus et auriga Israel.'"<sup>9</sup>

Now, it is of course possible that the writer of our letter might independently have borrowed Elisha's apostrophe, though the only man likely to borrow it, the only man whom we know to have borrowed it, was the one man who without immodesty could feel himself to stand toward Luther in the relation of Elisha to Elijah—Luther's younger coadjutor and natural successor, Philip Melanchthon. But, whoever else should borrow it, no Lutheran—and a Lutheran our letter-writer clearly is—was likely independently to borrow it in this form. "Currus Israel et auriga ejus" was indeed the reading of the Latin Vulgate and familiar to all brought up in the older church; but the critical scholarship of the sixteenth century had early substituted *equites* for *auriga*; and, as our current English versions read, not "charioteer", but "horsemen", so from the first had Martin Luther's. Even in his autograph manuscript, of 1523,

<sup>5</sup> II Kings ii. 12.

<sup>6</sup> *Corpus Reformatorum*, VI. 58, 59.

<sup>7</sup> *Ibid.*, p. 57.

<sup>8</sup> Kawerau, *Der Briefwechsel des Justus Jonas*, II. 183.

<sup>9</sup> *Beiträge zur Bayerischen Kirchengeschichte*, hrsg. v. Kolde, III. 274.



"*furman*" (*fuhrmann*) is stricken out and "*reutter*" (*reiter*) written above it.<sup>10</sup> This correction resulted at first in an odd confusion, for in the earliest complete edition of his Bible (1534) one reads of the "*Furman Israel und sein Reuter*"—the "charioteer of Israel and the horsemen thereof"; but this was speedily corrected to the "*Wagen Israel und sein Reiter*", the reading of Lutheran Bibles to this day. Surely nobody at Wittenberg but Philip Melanchthon or one who caught the phrase from him would have been so bold as to use the discredited Vulgate wording.

But the writer of our letter makes the chariot and charioteer not those *of* Israel, but those *in* Israel; and, unless this be a blunder of the transcriber, the misquotation may well seem to preclude Melanchthon's own authorship of it. Yet this would be hardly a greater liberty with the phrase than he took when, in his address to the students, he added to it the words "who ruled the church in this last age of the world" or when in his letter to Jonas he added "stirred up by God to establish and purify the ministry of the Gospel". If not Melanchthon, who but one of his students could have written it?

That it was written on the very day of the receipt of the news is made probable—if the document be complete—by its brevity and by its silence as to the subsequent happenings. But we have no assurance that this transcript is complete; the abridged form of the date is one often found in an extract. Yet there is another reason, mentioned by the letter itself, why it is likely to have been promptly written. Melanchthon himself explained to his students that his grief could hardly have permitted him to make the announcement, had not others (was it the Elector perhaps who had been thus urgent?) insisted that without delay the true story of Luther's death should be laid before them, lest false reports might be spread abroad by them or gain a hearing among them. There was reason enough for the fear. Never since Lactantius gloried in the dying agonies of the persecutors had Christians been more eager to find in the death of a religious foe some token of the vengeance of Heaven. Luther himself, alas, had been only too ready to credit and spread such slanders; and his friends knew well how many enemies were expectantly awaiting the moment when they could trumpet abroad how death had brought to shame the arch-heretic himself. It is to the credit of his vigilant friends as well as to the honor of his opponents that the charges then set afloat proved on the whole so trifling. That long before a century was gone there nevertheless found currency a legend of his suicide needs no telling in the days of Majunke and Honef and Kleis; and, though the generous Catholic scholarship

<sup>10</sup> See *Die Deutsche Bibel* (in the Weimar edition of his works), I. 199.

of a Nicolaus Paulus has found in the silence or the positive testimony of hostile contemporaries a refutation more convincing than could be furnished by the evidence of interested friends, it was the prompt energy of his friends which so long stifled or challenged the voice of slander. Yet it has puzzled me that, with all their promptness in appealing to the students not to believe or to spread a false report, there was no request for their aid in diffusing a true one. Despite this silence it could not be strange if a student felt impelled to write such a letter as ours; but is it not quite as possible that what we have here is rather a circular letter, drawn up (like so many others known to us in this age) to be sent out to more addresses than one?<sup>11</sup>

But how in that case—how in any case—can this letter so long have evaded the notice of historians? I am by no means sure that it has evaded it. I can only say that I cannot find it in print. A few years ago (1907) so careful a student as Professor Kawerau, publishing in the *Theologische Studien und Kritiken* two more letters regarding the death of Luther as a supplement to the five he had already published there in 1881, appended a list of all the letters and accounts by contemporaries which had thus far found their way into print. Our own does not appear among them. That it should have escaped discovery is the more strange because the volume in which now I find it had earlier its home in a centre of Lutheran scholarship: the same hand which has reproduced the lost title-page has transcribed also, at the base of it, the name of an owner—the “Collegium Wengense” at Ulm. Could anything really of value to the history of the Reformation have escaped at Ulm the eyes of Veessenmeyer and of Keim? Yet one must remember that not three weeks had passed from Luther's death before there was in print that official account by the “three eye-witnesses” (Jonas, Coelius, and Auri-faber) which till the renewal of controversy in our own day has seemed to Protestants an all-sufficient source of knowledge.

And it must be confessed that for the details of Luther's end our little manuscript can have, at best, but slight historical value.<sup>12</sup> It

<sup>11</sup> Such a circular letter, or what seems such, the library of Cornell itself possesses—a contemporary manuscript copy (bought from the library of Knaake) of Luther's letter to the Elector Frederick, March 12, 1522, explaining his return from the Wartburg. Revised for the purpose at the Elector's wish, this letter is known to have been circulated widely.

<sup>12</sup> No serious addition to our knowledge of the circumstances of Luther's death is made, indeed, by the manuscript found at Mt. Airy. This adds much to what is told by the letter of Jonas, but practically nothing to the account of the three eye-witnesses. So closely, in truth, does it coincide with this latter, not only in the facts related and in their order but in the very words employed, that I cannot believe the two independent; but it is the three eye-witnesses who seem to me the

must rest, of course, on the tidings received at Wittenberg from Jonas; and, though his letter to his colleagues has since been lost, that to the Elector has been preserved and in its author's own original. Where our account differs from this it must be presumed to be at fault; and yet more surely so if it conflict with the combined memories of the three eye-witnesses. Yet as a contribution to our knowledge of the diffusion of the tidings, and as a suggestion of what may lie hidden in the scrawls on our old books, I have counted it worth reporting—and without even waiting to inquire whether Professor Nikolaus Müller has perhaps somewhere chanced on it in his gleaning of epistolary material for the great new supplement to the works of Melanchthon.

But whose was the hand that copied the letter into our old Bible? His marginal notes, though mainly but commentary, offer here and there a clue. He was a scholar and doubtless a theologian, for he writes not only German and Latin with equal ease, but now and then a passage of Greek or Hebrew. He was a Swabian, for opposite the mention of the fleece wet with dew (Judges vi. 37, 38) he has written in the margin "Die schwebischen Scheffer hayssen [s]olche Wolle ain Schepper", and opposite the simile of the children calling to their fellows "We have piped and ye have not danced" (Matthew xi. 16, 17) he tells us (if I may again guess at what the binder has cut away): "Unser kindlin [in] Schwaben singen [ei]n solch Liedlin: [E]s zannet ein [w]olff ins huttingen uff, man gab im [e]in brot, es thet [i]m nitt nott, [m]an gab im ain [gla]ss, es war im zu [spa]ss." He had been till January, 1545, at Wittenberg, and doubtless as a student; for he calls attention to the passage (John xii. 35, 36) which Dr. Luther wrote in his commonplace-book at his leaving there ("Disen sententz hat mir D. Luther in min buch geschriben anno 1545"—adding later, in a differing ink, "im jener da ich weg zoch von Witenberg") and likewise to the text (Philippians ii. 13) which Melanchthon penned for him at their leave-taking ("zur Letze zu Witenberg Anno 45 da ich weg zoch im jener"). These annotations he had begun to make at least as early as 1548; for, where Luther in his preface to the book of Daniel asserts that Christians should pray even for tyrants, there is a marginal comment: "Nota bene contra illos qui non volunt orare pro Imperatori nostro Carolo Quinto"—to which, in a different ink, is added "qui etiam nunc papistis contra nos auxiliatur. 1548." But such refer-

borrowers—or, rather, the expanders. The resemblance between the two accounts of the death is the more striking because in the postscript of the Mt. Airy manuscript, which relates chiefly to the funeral exercises at Eisleben, there is no such resemblance to the narrative of the three eye-witnesses either in matter or in form.

ences to contemporary affairs are few. Where Zechariah prophesies the curse of the flying roll he comments, "Hie wirtt klarlich weisgesagt von dem schnöden Interims buch, so ans liecht kom[men] ist Anno 1548"; and where, in the first book of the Maccabees, it is related how Tryphon led the young king Antiochus deceitfully up and down the land until he could secretly slay him, he exclaims, "Also haben die falschen Engellender dem from[men] König Eduardo getha[n] Anno domini 1553. Der teuffel holl sie." But in the main he holds himself to exegesis, quoting often the words of Luther and Melancthon, and sometimes (if "M. L. d." means "Martinus Lutherus dixit") from their oral teaching.

These, then, are the data. Who will guess the riddle? Many a young Swabian seems to have left Wittenberg in 1545—among them David Chytraeus, Johann Baptist Heinzl, Johann Marbach, Victorin Strigel—but whether any one of these in January I have not yet learned, and there is no reason to suppose our annotator a man of such moment.<sup>13</sup>

When last spring there was sold at Leipzig the rich Reformation collection of the Paris pastor, William Jackson, the library of Cornell was so fortunate as to secure a work long sought in vain—the rare original edition (1536) of the letters of Zwingli and Oecolampadius. The Jackson copy was not the less tempting because the catalogue described it as containing within the same old covers the Gospel commentary of Bucer (1530) and on the blank leaves between the two works two or three pages of manuscript in the autograph of Bucer himself. On the arrival of the volume it needed but a glance to discern that the neat handwriting of this manuscript had nothing in common with the blind script of Bucer; and a little study showed it to be but a contemporary transcript of a "Confession as to the Holy Eucharist" which was long ago printed in his *Scripta Anglicana* (1577). Yet with a difference: though the text seems the same and ends with the same solemn asseveration and date ("I, Martin Bucer, thus opine in the Lord, and in this opinion I wish to come to the tribunal of the Lord. By my own hand, 5 June, 1544.") the title runs, not "Confession of Dr. Martin Bucer as to the Holy Eucharist, publicly delivered in the school at Strassburg", but "Resolution of the faith. M. Bucer to Dr. Joseph Macarius, Hungarian" (*Resolutio fidei. M. Bucerus ad D. Josephum Macarium Ungarum*).

But before looking into the identity of Joseph Macarius a something hauntingly familiar in the neat turn of the script led me to glance instead into the *Chronicon* of that most lovable old scholar,

<sup>13</sup> Nothing more is to be learned as to this from the now published *Album Academiae Vitebergensis*.



Conrad Pellican, the friend of Reuchlin and of Erasmus, of Oecolampadius and of Zwingli—for it was of his hand (familiar to me through study of his manuscripts at Zürich) that I seemed reminded. Opening, then, his chronicle in search of some clue, I was almost startled to find him relate, under the year 1544, how “on June the 13th I had as a guest that high-born and learned man Joseph the Hungarian, of Buda, . . . who for five years had studied at Wittenberg, and wished before his return to his parents to visit the churches of Germany and listen to the scholars; and, coming by way of Spire, where the Emperor was holding the Diet, to Strassburg, he conversed for several days with the brethren at Strassburg, but especially with Bucer as to the matter of the Sacrament, and from him he asked and obtained in writing an opinion regarding the Lord’s supper, which I have copied into a volume of Bucer’s commentaries on the four Gospels.” This, then, was indeed Pellican’s handwriting, and this his copy of Bucer and of the letters of his old friends the Swiss reformers. It was doubtless from this copy that, as Pellican tells us, Macarius read with interest these letters.<sup>14</sup> Nay, but a few months earlier Pellican had recorded in his chronicle his own reading of them: “On the 5th of February I began to read the *Epistolare* of Oecolampadius and Zwingli . . . together with the most accurate and learned introduction of our Theodore” (*i. e.*, of Bibliander). Had he perhaps annotated the volume? Yes, here on the margins everywhere, but especially on the prefatory pages, were the notes of that same neat hand. Mostly, indeed, they were only a running index, such as his chronicle tells us he was wont to make in all his books; but some are comment or addition. Thus, where Myconius in his prefaced life of Zwingli narrates the events of the fatal encounter at Cappel, Pellican corrects his estimate of “less than 4500” for the number of the Zürichers to “not even 2000” (“Numero erratur. Imo ne 2000 quidem”), qualifies his mention of the soldiers’ prayers, “non sine precibus”, by an “admodum modicis”, inserts the precise hour of the morning when the fight began (“ad horam decimam”), and adds to his account of Zwingli’s dying words: “Aliter alii dicunt.”

These notes, too, may be already familiar to scholars, for the volume has not been lost all these years. The names of its owners,

<sup>14</sup> Of Macarius, who after a week or so at Zürich set out for Constance, escorted by a notable body of his hosts—Pellican himself, Rudolf Walther, Bibliander, Froschauer the printer, and the younger Zwingli—more may be learned from a letter of Bullinger to Calvin and especially from the lately published second volume of the correspondence of the Blaurers, where, with much else relating to the winning young Hungarian, is a letter of commendation written by Bucer himself on the very same day (June 5, 1544) with his Confession as to the Eucharist.

on title-page and fore-cover, tell of a notable career. They show it to have belonged to Archdeacon Rudolf Wonlich (d. 1596), son-in-law of Leo Jud, to the great Swiss philologist Suicerus (1620–1684), who has enriched it by a note or two, to Johann Conrad Heidegger, the Zürich statesman, to Jacob Hess (1741–1828), theologian, historian, and head of the Zürich church, and to his nephew, Johann Heinrich Hess, before it became Pastor Jackson's.

This is not the only book at Cornell which once was Conrad Pellican's. A quarter-century ago I bought from a second-hand dealer at Zürich a set of the now rare original edition of the works of Zwingli. The last of its four volumes differed slightly from the rest in binding and, as I saw, did not strictly belong to the set; for it was the first impression (1539) of his commentary on the Gospels instead of the reprint of this made to complete his works, and after it, in the same covers, was bound Bullinger's commentary (1535) on the Acts of the Apostles. But that there were annotations in the volume I do not remember to have noticed until, a few years ago, when reading with a class the chronicle of Pellican, his mention of his indexing for the printer these volumes led me to fetch the books. Opening at the index this the earliest printed, my eye fell for the first time on his own name—"Con. Pell. R." (Conradus Pellicanus Rubiacensis). Turning then to the volume's second index—that to Bullinger's work—I found again, at the end of the title, written in the same hand, the initials "C. P. R." That the hand was his own I already suspected, for I knew his habit of thus writing his name; and I had soon opportunity to verify the suspicion. The book itself, indeed, offered a slight confirmation: at the foot of the title-page a hand very different from Pellican's has written "suo Ch" and there has stopped. As I look at it there rises before me the figure of Froschauer the printer (for whom the indexing was done) about to inscribe this copy to "suo Chuonrado" when the thrifty old scholar stays his hand. Is it a wild guess? Pellican wished perhaps to donate or to sell it; and that may explain why his annotations are so few. Most interesting of them, perhaps, are those pointing out (pp. 282, 283—Luke xvi) the texts of Zwingli's last sermons: "Antepenultimus sermo Zwinglii 6. octobris, feria sexta", "Penultimus sermo Z. 7. octobris Sabbato", "Ultimus sermo Zwinglii dominica die, 8. octobris 1531, qui fuit occisus 11. octobris."

Yet I must again confess that on the title-page of the first volume of the set I find the name of an owner who (if this fourth volume too was his) was little likely to overlook such treasure-trove—the Swiss church historian Kirchhofer ("M. Kirchhofer, theol. cand., 1797").

While we were that year reading the chronicle of Pellican there fell to us another discovery as startling. The old scholar, in narrating his youth, tells how he was spurred to the study of Hebrew by reading the *Scrutinium Scripturarum* of the Spanish convertite, Paul of Burgos. Reminded thus of our own copy of that work, I laid it before the class, remarking as I did so that it was old enough to be Pellican's own, 'having been printed by Scheffer at Mainz in the very year of his birth (1478). Led by this suggestion we looked to see what the book could tell us of its own story. From the opening fly-leaves we learned only that it had once belonged to William Henry Black—the eminent English antiquary who long was pastor of that little London congregation of Seventh-Day Baptists of which Sir Walter Besant makes such interesting use in the novel which fruited in the People's Palace—and that he had bought it, in 1849, at the sale of the library of Henry Francis Lyte, the hymn-writer; but, on turning to the end of the book, there stared at us from beneath the colophon, in a hand of not far from the year 1500, not indeed the name of Pellican himself, but that of his fellow-humanist and Rhineland neighbor, "Theodoricus Gresemundus Junior LL.D." A notable man in his day was young Dietrich Gresemund of Mainz, poet, jurist, antiquary, the pride of his old teacher Wimpheling, who tried to make his epic on the desecrated cross a classic for the schools. But not even Wimpheling, who, when in 1512 death snatched off his darling in early prime, poured out his soul in glowing eulogy, has told us just when this prodigy was born; and modern guessers have gone by several years asunder. Our old book does better; for, turning the leaf, we found, in the same handwriting, the inscription: "Et ego Theodoricus Gresemundt filius natus fui anno salutis 1476 in vigilia Sancti Martini hora nona ante prandium". And beneath this, in what looked like a half-completed horoscope, were the words: "Figura nativitatis, die solis qu[a]e fuit 10 Novembris 1476, hora 9. m. 10. ante meridiem quae fuit principium hor[a]e Mercurii". On Sunday, November 10, 1476, at ten minutes after nine in the morning—surely that is quite definite enough. But "Dietrich Gresemund the Younger" implies a Dietrich Gresemund the Elder. Our Dietrich's father, a great physician of those days, was indeed, like his son, a man worth knowing; but of his early years all that is told is that he came from a little Westphalian village near the town of Soest, and at his birth-year nobody seems to have guessed. Again our old book helps. In an older hand, above the lines recording his son's birth, we read: "Item anno domini M<sup>o</sup> etc. xlvii in die Arnolff uff eynem mytwochen strometur Soist per exercitum Theodorici archiepiscopi Coloniensis". It was perhaps the earliest event he



Zwinglij eedes.

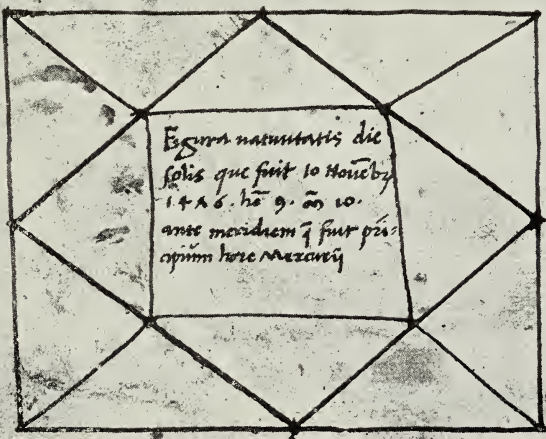
aliquot Index, Con. poll. R2

untur  
Afflictionibus fuscitantur fideles

37

ribus iustissimi &  
qualis & ecclesia=  
aut iustum facere  
re, longas habere  
s fuit Monachus,  
onatus uerter huc

Wrig Arms  
3 vöingly Drina die  
P. octob. 1531. 7 fms.  
octob. 11. octob.

[illegible]

Matthias Huxos philosophia professa. 1523





could remember, this storming of Soest; for the next line reads: "Item fui natus anno domini etc. xl<sup>mo</sup> in profesto trium regum"—"I was born in the year 1440 on the day before Three Kings' day" (*i. e.*, on January 5).<sup>15</sup>

Sorry gleaning this may all seem to those who know the yet unpublished wealth of Old-World libraries; but it at least suggests the guarding of our bescribbled margins and fly-leaves against the binder's renovating zeal. A single line may prove a priceless clue. At the top of the title-page of our copy of the little *Spongia* by which Erasmus sought to wash away the aspersions of Hutten (1523) is the autograph of its earliest owner: "Matthias Heros philosophiae professor, 1523". Can this be other than Matthias Held, later the great Vice-Chancellor of Charles the Fifth, of whom the biographical dictionaries can tell us nothing prior to his advent as a jurist, in 1527, at the supreme imperial court in Spire?<sup>16</sup>

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<sup>15</sup> How large the share of father as well as son in the German revival of learning, has lately been shown by Bauch, the foremost living student of that movement, in his study on humanism at Mainz (1907), and Löffler in editing (1908) the long unpublished work of Hamelmann on the illustrious men of Westphalia has thrown fresh light on their origin and their activities; but neither could give with exactness the dates of their birth.

<sup>16</sup> Facsimiles of annotations from each of the volumes described above are given in a second plate, with some hope that they may help in the identification of other annotations by these scholars.

## THE LITERATURE OF THE RUSSO-JAPANESE WAR, II.

NEXT in general interest to narratives compiled by those who have taken personally an active part in a campaign, and not inferior professionally, are the official reports of military attachés whose duty it has been to follow in the field the fortunes of the contending armies. The linguistic limits of this review confine our notice of this type of authorities to two groups, the narratives and observations of American and British officers. The former were published to the world by the General Staff of the United States Army in 1906-1907. The British War Office placed the reports of British officers at the disposal of the general public two years later.<sup>1</sup>

Both these sets of reports cover much the same ground, representatives from the American and British armies having joined the contending forces almost simultaneously. Collectively, they present a mine of accurate information to the historian and professional student. The criticisms recorded cannot of course be accepted as final, having necessarily been written on somewhat imperfect information; yet however much the horizon may have been obscured by the smoke of battle, observations jotted down while the pungent odor of gunpowder is still in the nostrils are primary evidence not to be lightly set on one side.

It would be as invidious as it is unnecessary to weigh these official reports one against another, but it is not too much to say that to the British officers at any rate both sets have proved a great help in their professional studies. The steady progress made during the last five years in the training of British troops owes very much both to the compilers of these volumes and to the Japanese and Russian authorities who gave generous facilities for their compilation.

With the volumes issued by the British War Office it is not proposed to deal in detail, but it may be permitted to express the

<sup>1</sup> *Reports of Military Observers attached to the Armies in Manchuria during the Russo-Japanese War*, parts I., II., III., IV., V. (Washington, Government Printing Office, 1906, 1907); *Reports from British Officers attached to the Japanese and Russian Forces in the Field*, in three volumes with two cases of maps (London, printed for His Majesty's Stationery Office, 1908); *Medical and Sanitary Reports from Officers attached to Japanese and Russian Forces in the Field* (printed as above, 1908).

hope that they will be judged worthy to find a place in American professional libraries. Of the reports rendered by the United States observers, those of two officers in particular, Captain Karl Reichmann, 17th Infantry, and Major Joseph E. Kuhn, Corps of Engineers, strike the English reader as being of very special value. Captain Reichmann's observations on the operations of the Russian army with which he served for some eight months, from April to December, 1904, enhance the reputation he won as a shrewd and just military critic during the South African War. Major Kuhn gives us the best professional reports on the siege of Port Arthur yet published in the English language; moreover, his clear narrative is garnished with an abundance of valuable technical details and with many sound strategical and tactical comments. Strategically Major Kuhn holds that

although Port Arthur had ultimately to surrender, as will be the case with any fortress, it yet paid for itself many times over by neutralizing for five months an entire Japanese army and the entire Japanese fleet. . . . The time thus gained proved invaluable to the Russians. . . . Had the defense of the fortress been conducted a little more energetically the first results might have been materially different.

In substance, it will be noticed, these views agree with those of Sir William Nicholson, already quoted on pp. 520, 521, above.

Major Charles Lynch's account of the medical and sanitary arrangements of the Japanese army (part IV. of the United States Observers' Reports) may also be commended for careful study by all staff as well as medical officers.

The literature of this war has produced three really fascinating books, each of a distinctive character as regards authorship, matter, and subjective treatment. Two of these books, *Rasplata* and *Human Bullets*, we have already discussed. The third is without doubt the *Scrap-Book* which General Sir Ian Hamilton, the second senior of the British military attachés, was permitted to publish in addition to his official report.<sup>2</sup> Sir Ian joined Kuroki's army at Feng-huang-cheng in May, 1904, accompanied its fortunes as it forced its way through the mountain passes, was present at the severe fights of Chiao-tou, Mo-tien-ling, Yu-shu-ling, and Yang-tzu-ling, watched closely the eleven days' battle of Liaoyang, and remained with Kuroki's quarters until after the fierce struggle of the Sha-ho, when General Hamilton was recalled home to take up an important command in the south of England. In the preface to his first volume Sir Ian modestly calls his book "impressions, snapshots, by-products", and points out that it is impossible to evolve

<sup>2</sup> Lieutenant-General Sir Ian Hamilton, *A Staff Officer's Scrap-Book during the Russo-Japanese War* (two volumes, London, 1905, 1907).



out of facts "fresh from the mint of battle" an account "which is either well balanced or exhaustive". His snap-shots need no *apologia*. A frank daily personal diary written while attached to the headquarters of an army engaged in highly important operations by an officer of General Hamilton's high rank and great experience could not fail to be vastly interesting to soldiers, but when the writer combines with his war experience and professional knowledge keen powers of observation, a sense of humor, a shrewd judgment of character, and an easy attractive pen, a true picture is presented of modern war and of a modern national army which both is in itself in a real sense historical and yet presents invaluable material for the making of history.

Perhaps the most fascinating and the most valuable feature of these volumes is the close personal view they give of the Japanese generals and staff, loyal to superiors and colleagues, confident in their troops, quiet and self-reliant at the most critical moments, reserved and taciturn while victory is in doubt, frank when victory has been attained, doing their work ever with a selfless devotion to their emperor and nation, which seems incapable of contamination with even a grain of personal ambition or personal jealousy. The Japanese officer, as depicted by Sir Ian Hamilton, presents indeed a noble figure, and yet it is evident that when the painter commenced his work, he was not wholly free from that bias in favor of his own race which characterizes those who have served long in the East, and was quite prepared to criticize freely. It was only after months of close contact with the Mikado's soldiers, after watching them tried and tested in the fiery furnace of war, that the British general saw "clearly the warrior spirit of Japan as it emerged triumphant from the bloody tumult". But the *Scrap-Book* has attained such a wide circulation and popularity that it is superfluous to dwell on its merits; the recent appearance of editions in German, French, and Russian is sufficient evidence of its value.

Sir Ian Hamilton's work terminates our list of purely evidential literature published in the English language.

Before passing on to the small but growing group of historical works, it may be as well to refer briefly to the professional treatises partially historical but in the main critical, which have been written by soldiers to enable soldiers to absorb readily the lessons of this great campaign. A few examples of these must suffice. Perhaps the most notable is the translation of the series of articles published by General de Négrier, late inspector-general of the French army, in the *Revue des Deux Mondes*.<sup>3</sup> The views of so distin-

<sup>3</sup> General F. O. de Négrier, *Lessons of the Russo-Japanese War* (London, 1906), translated by E. Louis Spiers.

guished an officer must of necessity carry great weight. It is therefore of special interest to find that in the matter of cavalry tactics de Négrier, while laying stress on the paramount need for encouraging the offensive spirit of that arm and for concentrating it for use on the actual battle-field, joins direct issue with the Continental school, which still pins its trust mainly on the *arme blanche*.

Fighting on foot [he tells us] . . . has now become essential. . . . The urgent question at the present moment is therefore how to convert our cavalry from their inveterate faith in traditional evolutions and the obsolete shock-tactics of the last century. . . . Our methods of warfare must be changed. In fighting on foot, whenever necessary, our cavalry must determine once for all to make as clean a sweep of the enemy as it did in the most brilliant days of the old knee-to-knee charge.

With the hope of carrying out this change of ideas and of adapting cavalry to the requirements of modern war General de Négrier would remove all the minor distinctions of dragoons, lancers, husars, etc., and amalgamate the whole arm into one force, adding to its equipment a bayonet to be attached to the sword scabbard, and attaching two machine guns to each squadron, and two batteries of pom-poms and a battery of large calibre howitzers to the cavalry division. These recommendations will, it is to be anticipated, be long opposed by the intense conservatism with which European cavalry is impregnated, a conservatism which, as has been its wont in the past, rejects the lessons of each successive modern campaign as "abnormal" and still turns for its inspiration to the battle-fields of the seventeenth and eighteenth centuries. But that the conception of the true power of cavalry put forward by de Négrier is sound, it is difficult to controvert in view of the hard facts of the Franco-German War, of the South African War, and of the Manchurian battle-fields.

As regards the general tactics of the three arms it is important to note that the late inspector-general of the French army emphatically rejects that cult of positions which proved fatal to France in 1870. "The Russo-Japanese War", he declares, "has demonstrated yet once again that by offensive tactics alone can victory be assured."

In his *Lectures on the Strategy of the Russo-Japanese War*<sup>4</sup> Major Bird, late professor of the Indian Staff College, presents to the military student a valuable summary of the strategical movements and much thoughtful criticism. His condemnation, however, of converging strategy as "most risky" and as affording the opponent an opportunity of beating the advancing columns in detail

<sup>4</sup> Brevet-Major W. D. Bird, *Lectures on the Strategy of the Russo-Japanese War* (London, 1909).

is much open to dispute. The question is too large and too technical for discussion here, but it may be permitted to point out that three great modern campaigns, 1866, 1870, and 1904, tend to controvert such teaching, and that although in the Napoleonic wars, when tactical conditions were other than those now prevailing, great converging movements ended at times disastrously, yet Napoleon himself employed, notably in 1805, this very form of strategy with astounding success.

An interesting example of that deep-rooted conservatism, to which reference has been already made, is to be found in Count Gustav Wrangel's memoir on *The Cavalry in the Russo-Japanese War*.<sup>5</sup> Count Wrangel adheres to the time-worn theory that cavalry which seeks salvation with the rifle loses its offensive spirit, an argument which if pushed to its logical consequence leads to the amazing conclusion that it is impossible for infantry to assume the offensive. Yet later he weakens as to this dogma by admitting that in future wars the use of cavalry dismounted will be "so to say our daily bread", and even preaches that good cavalry must learn in peace time "to feel at home in the firing line". Count Wrangel lays stress very justly on the importance of the reconnaissance duties of cavalry, yet he somewhat fails to grasp the grave difficulties with which they are circumscribed under the conditions of modern war, and the vital need for an efficient intelligence department.

An anonymous German writer, "Asiaticus", in his *Reconnaissance in the Russo-Japanese War* avoids this error.<sup>6</sup> His historical examples are culled with judgment. The criticisms thereon are those of a student who seeks not to bolster up preconceived theories, but to wrest from the facts of a campaign the principles and methods by which success can be attained under modern conditions. His deductions, therefore, are marked with commendable moderation and hold an even balance between the extreme rifle and *arme blanche* schools of thought. As regards reconnaissance "Asiaticus" devotes a chapter to espionage, and points out that the Japanese experiment of combining infantry with cavalry for reconnoitring and screening duties produced good results.

We have discussed earlier in this review the narratives of press correspondents in the field. Important organs of public opinion are not, however, content with merely laying before their readers the

<sup>5</sup> Count Gustav Wrangel (Austrian cavalry), *The Cavalry in the Russo-Japanese War; Lessons and Critical Considerations*, translated from the German by J. Montgomery, Lieutenant 3rd Hussars (London, 1907).

<sup>6</sup> "Asiaticus", *Reconnaissance in the Russo-Japanese War*, translated from the German by J. Montgomery, Lieutenant 3rd Hussars (London, 1908).

despatches of their representatives at the seat of war, but expound these despatches and the news emanating from other sources by such criticisms and summing up of the situation as will enable readers to follow the course of the campaign intelligently. The duty of writing from time to time these appreciations, and making forecasts on necessarily imperfect information, is a difficult task. It demands sound knowledge of military service, a trained judgment, assiduous study, and a natural gift for piercing the fog of war. Of all the writers who attempted this task during the Russo-Japanese campaign the military correspondent of the *Times* was pre-eminently the most successful, a success in which both the Staff College and the Military Intelligence Department may take pride, seeing that Colonel Repington is a distinguished alumnus of both those establishments. His articles, though written under the trying conditions and limitations of work for a daily paper, are too valuable to be lost to permanent literature, and the author was therefore well advised to revise and collate them under the title of *The War in the Far East*.<sup>7</sup> He offers this work as a preliminary study of the campaign, and maintains that an account written as this was from day to day

and thus preserving contemporary color, warmth, and even partisanship, might serve as a useful reminder that those who direct armies and fleets have to deal with a number of factors of which history sometimes takes insufficient account, and that, in relation to the intentions and proceedings of the enemy, these leaders have largely to rely upon intuition and judgment, and have rarely before them all those nicely tabulated facts and certainties which are at the disposal of the ultimate historian when the latter distributes praise and blame.

The claim is made good. Colonel Repington presents in this book an admirable study of the war as a series of contemporary events. Some of his chapters are purely historical, but others, and these perhaps the most valuable, are just such critical appreciations of strategic situations as a chief of the staff would lay before his general. The maps bound up with the book are worthy of the letterpress. The views expressed in the chapter entitled *The Entanglement of Port Arthur* as to the uselessness of fortified naval bases are not, it is true, those usually accepted by strategists, but in every other respect this work has much added to its author's high reputation as a writer and military thinker.

It is a natural law that the history of great events demands a long period of gestation. Works claiming the name of histories were, it is true, published before even the smoke of the Russo-Japanese campaign had cleared from the horizon, but the text of such

<sup>7</sup> *The War in the Far East*, by the Military Correspondent of the *Times* (London, 1905).



books is built up obviously from snippings of newspapers and is valueless historically, although their illustrations are often amusing and occasionally of some interest.<sup>8</sup> But for the generating of full and accurate historical records of the gigantic struggle between the Czar's and the Mikado's armies, the five years which have elapsed since the last shot was fired are all too short. Nevertheless, some progress has been made and the work goes forward hopefully. The first and earliest history, which may be studied with advantage, is a useful examination of the diplomatic struggle which led up to the outbreak of hostilities, written by Dr. K. Asakawa and entitled *The Russo-Japanese Conflict*.<sup>9</sup> The strategy of a campaign is often entirely based on its political causes, and is invariably influenced if not dominated by the political goals towards which the efforts of the respective adversaries are directed. Thus it is essential for the military as well as the general reader to master the national and political aspirations which have led to an appeal to arms before entering on a study of the actual operations of war. Dr. Asakawa's volume, although in part written originally in the form of articles for the *Yale Review* at the commencement of the war, throws valuable light on these points. He quotes copiously from the more important of the diplomatic despatches and discusses their bearing in an impartial spirit. His book, therefore, forms a fair and intelligent introduction to the campaign and should not be neglected.

Of the campaign proper only two histories have as yet appeared in the English language, that written partly by the General Staff of the British Army and partly by the Historical Section of the Committee of Imperial Defence, and that put forth by the Historical Section of the German General Staff and subsequently translated by Lieutenant Karl von Donat.

Both these works still await completion, the battles of Liaoyang and the Sha-ho being the final points as yet reached. The British *Official History*<sup>10</sup> is, excepting reports of minor expeditions, only the

<sup>8</sup> As typical examples may be quoted: (a) *The Russo-Japanese War fully illustrated* (Tokio, The Kinkodo Publishing Company, 1904-1905); (b) *Cassell's History of the Russo-Japanese War* (London, Paris, New York, and Melbourne, 1905).

<sup>9</sup> K. Asakawa, *The Russo-Japanese Conflict: Its Causes and Issues*, with an introduction by Professor Frederick Wells Williams (Boston and New York, 1904).

<sup>10</sup> *The Russo-Japanese War*, part I., compiled by the General Staff War Office (London, 1906); *Official History of the Russo-Japanese War*, part II., from the Battle of the Yalu to Liaoyang, prepared by the Historical Section of the Committee of Imperial Defence (London, 1908); part III., The Siege of Port Arthur, part IV., Liaoyang, and part V., Sha-Ho, prepared and published as above (1909, 1909, and April, 1911); *Official History (Naval and Military) of the Russo-Japanese War*, vol. I., to 24th August, 1904, prepared and published as above (1910).

second attempt on the part of the British authorities to promote the study of war by the production of an authorized narrative of a campaign. The preparation of the first—the *History of the South African War*—was, it will be recollected, entrusted to Major-General Sir Frederick Maurice. At the last reorganization of the War Office the formation of an Historical Section of the General Staff was mooted, and, probably with that idea in view, the General Staff itself took in hand the compilation of the first volume of a provisional military history of the Russo-Japanese War. Subsequently, however, the government decided to assign the duty of compiling official histories for both naval and military services to an Historical Section of the Committee of Imperial Defence.

This section at present consists of an officer of the Royal Marines, two General Staff officers, and a third military officer. Since its organization some three years ago it has not only continued the provisional military history of the Russo-Japanese War by bringing out in succession parts II., III., IV., and V. of that work, but has also put forth the first volume of a combined *Naval and Military History*. Of these two works the latter, although chronologically as yet the less advanced towards completion, includes and supersedes the former. The provisional military history, written as it was to meet pressing educational requirements, is much to be commended for its clearness of narrative and the excellence of its maps. A preface to one of its volumes tells us that "in accordance with the wishes of the General Staff all comments, except upon a few tactical details, are withheld until the production of the combined history".

Presumably, therefore, (although the actual preface of the first volume of the combined history runs in the name, not of the Historical Section, but of the Committee of Imperial Defence itself), the military criticisms which the volume contains have been penned, or at least approved, by the great General Staff at the War Office; while the naval criticisms, we may conjecture, are not so much the work of Mr. Asquith and his political colleagues on the Defence Committee, as of the Senior Naval Lord, the Naval Intelligence Department, and perhaps the Naval War College Staff. If this be so it is perhaps to be regretted that a positive statement to that effect is not appended to the work.

The Committee of Imperial Defence is an excellent organization for the deliberate personal consultation of the responsible ministers of the Crown with their expert naval and military advisers on questions of naval or military policy; but it is obvious that the opinion of a committee, so composed, on professional questions of

a purely naval or military character, cannot have the same authoritative weight as the direct utterances of the Admiralty and of the General Staff.

Yet this suggestion must not be taken as a criticism of a really admirable work, the excellence of which is a matter for great thankfulness and congratulation in both services. The compilers have, be it noted, enjoyed very unusual advantages. The preface of the combined history tells us that its proofs were "very carefully revised at Tokio both in the Admiralty and War Office", and that "much useful information has been also supplied by the Historical Section of the War Office at St. Petersburg". As a result of this generous assistance the accuracy of the work is above criticism. Moreover, it gives to the world hitherto unpublished documents of great historic value, notably certain correspondence which took place between Kuropatkin and Stoessel at the commencement of the war, and a very important telegram despatched from Tokio, arresting the advance northward of Oyama's armies at the critical period, when a sortie of the Russian fleet from Port Arthur was still possible.

Even therefore in its military narrative the combined history somewhat supplements the provisional military history, while reproducing its maps and retaining the admirable lucidity of its text. The naval narrative, and the naval and military comments, are wholly new matter, and their value can be best assessed by stating that they entirely maintain the high standard of the old.

The dominant note of the comments, both naval and military, is the inculcation of that offensive spirit which, traditional for two centuries in the navy, has of late years been unreservedly accepted by the authorities of the British army. To discuss these comments in detail here is not possible. It must suffice to say that if the two subsequent volumes equal the first in merit, this work will be of very great permanent value, and will fill worthily its honorable position of the first combined history of a great modern campaign in which the land and sea services were mutually and vitally dependent on each other.

The German official history<sup>11</sup> deals in the main only with the military aspects of the war, and thus lacks the completeness which characterizes the English. National preparation in peace for war,

<sup>11</sup> *The Russo-Japanese War: the Yalu* (London, 1908); *id.*, *Wa-Fau-Yen, and Actions preliminary to Liaoyang*, with four appendices and eleven maps (1909); *id.*, *The Battle of Liaoyang*, with ten appendices and ten maps (1909); prepared in the Historical Section of the German General Staff; authorized translation by Karl von Donat, late Lieutenant 33rd (East Prussian) Fusilier Regiment, German Army.

and both in peace and war a whole-hearted cultivation of the spirit of offence, have long formed the basis of the German naval and military systems. The German General Staff's masterly comments are written throughout with this in mind. They make it clear that the initial weakness of Russia was due to lack of adequate preparation, and they emphasize, moreover, a point which is not fully realized in the United States or Great Britain, that national armies are seriously handicapped in morale, when committed to a war which is unpopular with the nation.

Yet these were not the sole causes of Russia's misfortunes. The German critics are right in holding that on the Yalu "the attack of the Russians suffered from a certain want of decision", and that "during the whole war the Russians' conduct of operations was doomed never to find a right way out of the partially self-imposed defensive attitude". These criticisms are applied in a particularly striking manner to Stackelberg's attempt to relieve Port Arthur. The majority of military writers have branded that enterprise as doomed from the outset to failure, and as an illustration of the fatal influence of the St. Petersburg arm-chair strategists over the operations of the Russian armies in the field. Not so the German Staff; they hold that

if the Russian troops had been more thoroughly trained, and if Stackelberg had been reinforced by another division, which was certainly possible, it was not at all unlikely that the enterprise would prove successful. Though it would have been only a local success as regards the general situation, yet even such a success would have been of inestimable moral value after all the reverses the Russian armies had sustained. . . . The pernicious half-hearted decision of the Commander-in-chief impressed its stamp upon Stackelberg and upon his subordinate leaders.

Liaoyang is regarded as the true decisive battle of the war. For the German General Staff point out that

the knowledge that Kuropatkin, in spite of the numerical superiority of his troops, failed to turn the fortune of battle in his favour on a field he himself had selected . . . deprived from the outset the great "offensive" afterwards of all its vigour, and during the last phase of the campaign . . . gave rise to no other thought than mere defensive. It was not at Mukden and Tsushima that the Russians lost the campaign—they lost it already at Liaoyang.

The narrative portion of these three volumes is in no way inferior to the comments, and the admirable maps are worthy of the text. But the English reader has just grounds for complaint on one point. In order to avoid redrawing the maps, foreign spelling of the names of places is adhered to throughout in both maps and text. Chinese names are difficult to remember and grapple with



under the most favorable conditions, but when reproduced in a form of spelling entirely different to that with which one has become familiar after brain-racking labor, their effect is, to put matters mildly, peculiarly disheartening.

Pending the completion of these two General Staff histories, the English translation of the narratives of the battles of the Sha-ho and of Mukden published in the *Militär Wochenblatt* will be found helpful, especially as the value of these two narratives is greatly enhanced by the addition to them of clear comments by Lieutenant-General von Caemmerer.<sup>12</sup> The most striking of that well-known military writer's observations is a criticism of the Japanese Great General Staff's plans at Mukden as lacking in boldness. It was not enough in the eyes of General von Caemmerer that Marshal Oyama, with only equal numbers and greatly inferior artillery, committed his armies to a double enveloping attack on an enemy holding a position more strongly entrenched than Wellington's lines at Torres Vedras. It was not enough that he launched his whole force into that attack, save only one and a half divisions kept at the outset under his own hand, as a little rallying point in the case of misfortune. In von Caemmerer's judgment nothing, not one man, should have been withheld from the great stake. He would have assigned the General Reserve, diminutive though it was, at once "to the army, where the decision was sought for"; so, "victory would have been Oyama's a whole week sooner and with more decisive results".

The criticism is a true breath of the spirit of modern war. To the strategist and tactician the great lesson of the Manchurian Campaign is the overwhelming value of the whole army, from general to private, being permeated with offensive purpose, with the fixed determination to win by attacking. A policy of masterly retreat spells masterly failure. Victory alone can justify and compensate for the immense sacrifices of men and money which a nation makes when it commits its cause to the bloody arbitrament of war. Yet victory ever shuns the embraces of troops taught to look back over their shoulders.

But for the two great Anglo-Saxon communities, east and west of the Atlantic, so proud and confident in their population, in their wealth, and in their mighty possessions, the Manchurian Campaign sounds also another and even graver note of warning, the warning that the richest and seemingly the most powerful states

<sup>12</sup> *The Battle of the Scha Ho*, with nine maps and three appendices; authorized translation by Karl von Donat, late Lieutenant 33rd (East Prussian) Fusilier Regiment, German Army (London, 1906); *The Battle of Mukden*, with eight maps and two appendices; authorized translation by Karl von Donat (London, 1906).

may meet with sudden and deep humiliation, if national preparation for defence is neglected, and the spirit of self-sacrifice for the national good subordinated to the desire for individual comfort, individual ease, and so-called individual freedom. The evil effect of pure individualism is, we may gladly admit, more and more fully recognized by Anglo-Saxon democracies as regards the internal life of a nation, but it is still obstinately ignored as regards its external relations, especially and above all as regards the duty of that personal military service, upon the performance of which the continuance of the existence of the nation may depend.

A BRITISH OFFICER.

#### ADDENDUM

The articles concluded above, by a British military officer of high rank, having been confined to the consideration of books printed, either originally or as translations, in the English language, effort has been made to supplement them by such information as American readers are likely to desire, concerning the most important of those books which at present exist only in Japanese and Russian.

#### I.

By the kindness of Lieutenant-Colonel Kazutsugu Inouye, I. J. A., and of Commander Tokutaro Hiraga, I. J. N., Military and Naval Attachés respectively to the Imperial Japanese Embassy in Washington, the managing editor is able to add the following notes respecting the Japanese publications upon the great war.

1. It was the custom of the imperial government, for the information of the general public, to publish after each battle or important military operation an official report which, while naturally not disclosing data regarded as confidential, could be relied upon to be correct so far as it went. These reports were presently made up into four thin volumes, printed in Japanese, under a title which may be translated *Collection of Official Reports on the Russo-Japanese War*, and published in Tokyo by Shinbashido-Shoten.

2. The reports from the front by correspondents who were allowed to accompany the Japanese armies were subjected to an inspection which, while it resulted in the withholding of certain information, at any rate gave guarantees against amateurish errors. A series of these, in twenty-four small volumes, under a title which may be translated *Stories of the Russo-Japanese War*, has been published in Tokyo by Hakubunkan, and is perhaps the best of the unofficial or publishers' histories of the war.

3. The General Staff of the Japanese army has in preparation a work much more important than these, called *The History of the Russo-Japanese War (Army)*, which will be chiefly documentary in character, will extend to about fourteen volumes, and will probably begin to appear at some time in 1911.

4. Meanwhile publication of *The Naval History of the Russo-Japanese War*, prepared by the Naval General Staff, has already begun by the issue in 1909 of three octavo volumes of narrative text (Tokyo, Shunyodo), embracing many illustrations and excellent maps. This work, which is now being translated into English, will be completed by the addition of four more volumes consisting chiefly of documents. As no war correspondents were allowed upon the Japanese ships, this official history of course stands alone.

5. Without knowledge of Japanese, students and readers may derive great enjoyment from inspection of *The Russo-Japanese War: taken by the Photographic Department of the Imperial Headquarters* (Tokyo, K. Ogawa, or the agents Kelly and Walsh, 1904), published in about twenty quarto parts, each containing about twenty-eight large and fine photographs of war scenes and operations.

## II.

A similar statement respecting untranslated Russian works upon the military history of the war having been requested of Colonel Baron de Bode, I. R. A., Military Attaché to the Imperial Russian Embassy in Washington, he has been so kind as to provide, after consultation with authorities on this subject in St. Petersburg, the following notes upon such works—notes supplementary to the article printed above.

1. *The Russo-Japanese War of 1904-1905*, written by the special War History Board of the General Staff. (St. Petersburg, 1910.)

This work is strictly official and documentary. It embraces the whole *land* campaign and contains the description of military operations, of the organization of the bases, and of all the logistical and administrative measures taken during the different periods of the war. The work gives only facts without criticisms. It consists of nine "volumes", published in fifteen parts. The work is very voluminous, some of the parts having as many as 800 pages, with more than 2400 words on each page. The appendix contains more than five hundred maps, plans, etc.

2. *History of the Russo-Japanese War of 1904-1905*, written at the request of the Board of Directors of the Society of Students of Military Science by A. N. Vinogradsky.

The first volume of this work was honored with a prize by the

Scientific Board of the Imperial Nicolas War Academy of St. Petersburg (War College). The whole work will consist of four volumes of about 1000 pages each (more than 2000 words on each page) and about 100 maps and plans printed in several colors. The history is strictly based on facts. Much place is given to the operations of the Japanese. The military operations of both sides are combined together and worked out in one common narrative. The different events are discussed from a critical point of view. The author has had access to all the inedited archives of the society mentioned. Volumes I. and II. have already appeared, in 1908 and 1910 respectively. Volume III. will appear shortly, and volume IV. in the autumn, which will give a full description of the war. The work deals mostly with military operations on land; the naval operations, administration, and logistics are only approached. The siege of Port Arthur will appear, if circumstances favor, in the form of a fifth volume.

3. *The Russo-Japanese War of 1904-1905*, written by A. Svetchin. (St. Petersburg, 1910.) This volume, based on official data of the work of the War History Board and other sources, is a private publication which in 400 pages gives a concise history of the whole campaign, together with a criticism of the different events.

4. *The Russo-Japanese War*. Lectures on the subject in the Nicolas Academy of the General Staff (War College). (St. Petersburg, 1906-1907.) Collection of narratives of the principal events of the war.

All four of the works named above comprise the history of the whole war. The following works deal with particular periods and reflect the subjective impressions of their authors.

5. Galkine, *The Four Days' Battle of the Second Manchurian Army at Heigoutai-Sandepou*. (St. Petersburg, Berezovsky, 1910; about 350 pages.) This is a very valuable work and written in a very thorough manner. The book is accompanied by many maps and plans.

6. A. von Schwarz and G. Romanovsky, *The Defense of Port Arthur*. (St. Petersburg, 1908, two volumes.) The work is fundamental; it is well published.

7. *Narrative of the Military Operations of the Armies of Manchuria around Moukden from February 4/17 to March 4/17, 1905*. (Moskow, 1907, four large volumes.) Based on official sources and original documents, and written, by order of the late Commander-in-Chief, Aide-de-Camp General Kouropatkin, by the Quartermaster Department of the Headquarters Staff.



8. M. Groolev, *At Headquarters and on the Fields of the Far East*. (Two volumes.)

9. K. Droujinin, *Reminiscences of an Officer who took part in the War*.

10. *Id.*, *The Operations and Combat of Bensichoo*.

11. L. N. Sobolev, *The Strategy of General Kouropatkin (Sha-ho and Moukdèn)*.

12. E. I. Martinoff, *The Combat at Liandiansian and the Battle of the Sha-ho*.

13. *Id.*, *Reminiscences of a Regimental Commander*.

All these last books are evidently more or less subjective, though in parts they are based on documents. Nevertheless they help to illuminate events.

14. *Annals of the Russo-Japanese War*. Edited by Colonel Doubensky in the form of a weekly magazine with excellent illustrations, published in handsome form.

15. The work of the Naval General Staff giving a full description of the naval operations of the war will appear not before this autumn or rather the spring of 1912. The work is to be very thorough and exhaustive.

## THE ESTABLISHMENT OF THE SECRETARYSHIP OF THE INTERIOR

THE secretaryship of the Interior established in 1849<sup>1</sup> is the last of the principal administrative offices which went back for its inception to the notable decade of 1780-1790—the epoch during which the Constitution was drawn up and ratified. The particular circumstance which forced the need of its establishment on Congress was the enormous burden of work that rested on the shoulders of the Secretary of the Treasury, a burden partly due to the war with Mexico which involved such resulting acquisitions of territory by the United States as New Mexico and California. Then too the Oregon country, added in 1846 by treaty, brought additional administrative burdens.

Although the ideal which the statute of 1849 made effective was considerably older, the statute itself was the indirect result of suggestions on the part of presidents, statesmen, and others familiar with administrative needs, which had been expressed from time to time since the days of Madison's presidency.

### I.

When Pelatiah Webster printed his remarkable pamphlet in 1783 entitled *A Dissertation on the Political Union and Constitution of the Thirteen United States of North-America*, he then proposed in his scheme of government that there should be a "Secretary of State", an official who, as he phrased his thought, "takes knowledge of the general *policy* and *internal* government. . . . I mention a *Secretary of State*", he added, "because all other nations have one . . . the multiplicity of affairs which naturally fall into his office will grow so fast, that I imagine we shall soon be under necessity of appointing one."<sup>2</sup> Four years later, in his project of a Council of State presented to the Philadelphia Convention, Gouverneur Morris arranged for a secretary of domestic affairs whose business it should be to "attend to matters of general policy, the state of agriculture and manufactures, the opening of roads and navigations and the

<sup>1</sup> *Statutes at Large*, 395 ff., March 3, 1849.

<sup>2</sup> *Essays* (Philadelphia, 1791), pp. 213-214. First printed at Philadelphia and published February 16, 1783.

facilitating communications through the United States".<sup>3</sup> Likewise in his plan of government for France drawn up a few years after 1787, Morris made provision for a "Minister of the Interior".<sup>4</sup> In fact the conception of some such administrative official, however crudely or variously expressed, was perfectly familiar to the epoch. Charles Pinckney's *Observations* contained references to a Home Department. Pinckney expressed himself as convinced of "the necessity which exists at present, and which must every day increase, of appointing a Secretary for the Home Department", and apparently he meant that such an officer should be made a member of the Cabinet council.<sup>5</sup> Madison was popularly considered in the autumn of 1788 as the right sort of man to be placed in charge of a Home Department under the Constitution should Congress decide to provide for such an organization.<sup>6</sup> And in the early summer of 1789, during the course of the debates on the proper number and arrangement of departments, Representative John Vining of Delaware was the leading figure to propose and urge the establishment of a "Domestic" department.<sup>7</sup>

Congress was not inclined to establish an independent Home Department, but it could not escape altogether the force of sentiment and the arguments in favor of the suggested department, and accordingly provided a combination of the duties of a Home Department with those of Foreign Affairs. In other words it substituted a Department and Secretary of State in place of its first intention, a Department and Secretary of Foreign Affairs.

In the winter of 1789-1790 while Jefferson was hesitating about accepting the appointment as Secretary of State, he gave as one reason for hesitation his objection to having domestic as well as foreign business to attend to. Jefferson confided the first hint of his objection to his friend, William Short, in a letter of December 14, 1789.<sup>8</sup> The next day Jefferson put his thought in these words addressed to President Washington: "But when I contemplate the extent of that office, embracing as it does the principal mass of domestic administration, together with the foreign, I cannot be insensible to my inequality to it."<sup>9</sup> On the following January 4 Madison, who had recently seen Jefferson at Monticello, made Jefferson's

<sup>3</sup> Elliot, *Debates*, V. 446.

<sup>4</sup> Sparks, *Life of Gouverneur Morris*, III. 481 ff.

<sup>5</sup> Charles Pinckney, *Observations on the Plan of Government submitted to the Federal Convention*, pp. 10-11.

<sup>6</sup> D. Humphreys to Jefferson, writing from Mount Vernon, November 29, 1788; Bancroft, *History of the Constitution*, II. 485.

<sup>7</sup> *Annals of Congress*, I. 385-386, 412, 692-695, *passim*.

<sup>8</sup> Jefferson, *Writings* (ed. Ford), V. 139.

<sup>9</sup> *Ibid.*, p. 140.

objection quite clear to Washington. "I was sorry to find him", wrote Madison, "so little biassed in favor of the domestic service allotted to him, but was glad that his difficulties seemed to result chiefly from what I take to be an erroneous view of the kind and quantity of business annexed to . . . the foreign department. He apprehends", added Madison, "that it will far exceed the latter which has of itself no terrors to him."<sup>10</sup>

The theoretical stage of the problem was concluded when Jefferson took office in March, 1790, and began to administer the business of the Department of State. Within a few months of that time he sent to his colleague, Secretary Hamilton, an estimate of department expenses, reckoning them from April, 1790, for one year. It should be observed that Jefferson divided the expenses on the basis of the "Home Office" (\$1836) and the "Foreign Office" (\$2625). The figures are enough to indicate that the domestic functions of the Secretary of State were almost certain to be extensive.<sup>11</sup> Moreover the next twenty years were to determine unmistakably that the Secretary of State was to be overburdened with his manifold duties. In truth by the spring of 1812 all the administrative departments were so pressed with work that President Madison addressed a special message to both House and Senate on the subject.<sup>12</sup>

## II.

Madison's brief word written in the face of impending war sounded a note of warning that could not easily be overlooked. Some minor changes, it is true, had already been accomplished, revealing the fact that Congress had not been quite heedless of the need of reforms and alterations in the departmental organizations.<sup>13</sup> But they were not fundamental enough to afford relief. On June 12, exactly six days before the formal declaration of war with England, we come upon the first clear recommendation of a Home Department arising from a Congressional source after 1789. The incident is worth a moment's attention.

Near the beginning of a report read to the House of Representatives on that day—a report chiefly concerned with conditions that had prevailed for many years in the Patent Office as a subordinate division in the State Department—there occurred this definite suggestion: "Your committee, without entering into any detailed rea-

<sup>10</sup> H. S. Randall, *Life of Thomas Jefferson* (1858), I. 557, note 1.

<sup>11</sup> Gaillard Hunt in *American Journal of International Law* (January, 1909), III. 148. Washington placed the Mint under Jefferson's charge. *Ibid.*, p. 145.

<sup>12</sup> *Messages and Papers*, I. 499, April 20.

<sup>13</sup> *Annals of Congress*, 10 Cong., 2 sess. (1808-1809), pp. 347 ff., 352, 387-388, 437, 443, 450-452, 461, 1546, 1549, 1553, 1559-1560, 1575, 1833-1835 (text of act).



soning on the subject, offer for the consideration of the Legislature, the propriety and necessity of authorizing a *Home Department*, distinct from the departments already established by law. Such departments", continued the record, "are known to other Governments, and their benefits have been recognized in territories far less extensive than those of the United States."<sup>14</sup> This came from a committee of which Adam Seybert of Pennsylvania was chairman which had been appointed to examine into the organization and workings of the Patent Establishment.<sup>15</sup> On May 25 Seybert had addressed a letter to Monroe, the Secretary of State, asking for his observations on the subject, saying at the same time that the occasion might afford Monroe an opportunity to outline a plan for separating the Patent Establishment from the State Department.<sup>16</sup> Monroe was harassed with work. However he gave the matter some attention, and answered Seybert's letter on June 10. In general Monroe was opposed to all inferior independent departments. The Patent Office, he thought, might as well remain in charge of the State Department. He admitted, however, that foreign affairs constituted in themselves a sufficient trust for the person at the head of the Department of State. "They are", he reflected, "very extensive, complicated and important, and are becoming more so daily."<sup>17</sup>

There was an ominous tone to Monroe's reply which could not have escaped attentive ears. At any rate Seybert's committee felt free to broach the subject of a new department to the House, declaring that foreign relations were essentially distinct "from many objects in the interior of our country". The report was printed. No action, however, was taken on its special suggestion of a Home Department, for the country was soon experiencing the stress and strain of war.

By 1815 serious weaknesses extending down from the principal offices through all the national administrative organizations had become more real and were more evident than ever. Arrangements within the War Department were most unsatisfactory. Within this department Indian affairs had proved to be peculiarly troublesome. On March 2, 1815, the Senate passed a resolution requesting President Madison to instruct the Secretary of War to make a report on Indian affairs chiefly for the purpose, it would seem, of obtaining a sound basis of information on which to reorganize that subordinate branch of administration. There was already some disposition to place Indian affairs in a department quite by themselves.<sup>18</sup>

<sup>14</sup> *Annals of Congress*, 12 Cong. (1812-1813), pt. II., p. 2179.

<sup>15</sup> *Ibid.*, p. 1435.

<sup>16</sup> *Ibid.*, pp. 2190 ff.

<sup>17</sup> *Ibid.*, p. 2192.

<sup>18</sup> *Ibid.*, 13 Cong. (1814-1815), III. 287-288.

At the moment the headship of the War Department was in a state of transition, consequently more than a year elapsed before the Senate's request was answered. Then came a report on Indian affairs from Secretary William H. Crawford; it was dated March 13, 1816, and was communicated to the Senate on the following day. It was a long and well-considered document. From certain casual statements one gathers a clear impression that Crawford was aware of the burdens to which most of the secretaries in the separate departments had long been subjected. He merely hinted at "the creation of a separate and independent department" without giving any details of a plan. But he was sure that if a new department were established "much of the miscellaneous duties now belonging to the Department of State, ought to be transferred to it".<sup>19</sup>

Rather more than a month later—on April 20—Macon of North Carolina presented to the Senate a resolution that was passed and yielded some unforeseen results. The resolution follows:

*Resolved*, That the Secretaries of the Departments be directed to report jointly to the Senate, in the first week of the next session of Congress, a plan to insure the annual settlement of the public accounts, and a more certain accountability of the public expenditure, in their respective departments.<sup>20</sup>

The peculiar merit of the resolution was that it brought the principal officers together on the subject of the general organization of administrative work. By the following December these officers in consultation with the President had formulated a careful report. This report, after reviewing the principles on which the several departments were organized, dwelling with marked stress on the burdens of the Secretary of War, and commenting on the notable incongruity in having Indian affairs managed in connection with the military establishment, proceeded to outline on the grounds of actual experience the first clear plan for a Home Department in our history. This was the plan which lay behind the recommendation of Madison made in his last annual message of December 3, 1816, where he remarked on "the expediency . . . of an additional department in the executive branch of the Government . . . to be charged with duties now overburdening other departments and with such as have not been annexed to any department".<sup>21</sup>

Although the inspiration for it may have come in part from the Senate resolution, this first plan for a Home Department signed

<sup>19</sup> *American State Papers, Indian Affairs*, II. 26-88.

<sup>20</sup> *Annals of Congress*, 14 Cong., 1 sess. (1815-1816), pp. 331-332.

<sup>21</sup> *Messages and Papers*, I. 577; *Annals of Congress*, 14 Cong., 2 sess. (1816-1817), pp. 23-30. The report appeared in the *National Intelligencer* of Saturday, December 21, 1816, and in Niles's *Register* of that date.

by all the principal officers except Attorney-General Rush may be truly termed a Cabinet measure. It provided for a secretary whose duty it should be to execute the orders of the President in so far as they concerned the following five administrative divisions: (1) Territorial Governments; (2) National Highways and Canals; (3) General Post-Office; (4) Patent Office; and (5) Indian Department. The plan was communicated to the Senate by Madison on December 9.

Meantime steps had been taken in both the Senate and the House to consider that portion of the message which related to the possible establishment of an additional executive department. William Lowndes of South Carolina, chairman of the committee of seven in the House chosen to consider the subject, addressed a letter to the secretaries on December 22 asking among other questions whether the accountability of public officers might not be sufficiently served without a new executive department.<sup>22</sup> The secretaries answered the letter carefully on December 31. Their conclusion in response to Lowndes's particular query was this: "we have no doubt that the just principles of accountability would be better preserved, and economy promoted, by the adoption of that measure. Equally satisfied are we", they added, "that other essential advantages would result from it."<sup>23</sup>

On January 6, 1817, a bill for the purpose of establishing a Home Department was reported to the Senate by Senator Nathan Sanford of New York. The bill was similar in most respects to the "cabinet plan"; but it introduced the "District of Columbia" as a division of administration in the new department and omitted the division of "National Highways and Canals". Among minor readjustments it placed the Mint under the supervision of the Secretary of the Treasury. It ran a brief course in the Senate. On January 29, by a vote of 23 to 11, the Senate refused to listen to a third reading. Two senators of distinction opposed the measure, Rufus King of New York and Nathaniel Macon of North Carolina, the latter a member of the special Senate committee which had introduced the bill. King recalled the discussions of 1789 on a similar project, dwelling at length upon the opposition at that time. He admitted that times had changed, yet he failed, he said, to find much reason for multiplying departments or for having—as he expressed it—two Departments of State. A new department implied that the Secretary "would have a place in the Cabinet, and be one of the President's counsellors". The bill reached the House on January 20. The next day Lowndes read his correspondence with the secretaries.

<sup>22</sup> *Annals*, 14 Cong., 2 sess., pp. 697-698.

<sup>23</sup> *Ibid.*, p. 699.

Although the reply of the secretaries of December 31 was judicious, it could hardly have helped the progress of the bill, for it was in no way compelling or conclusive of the need of a new department.<sup>24</sup>

The failure to establish a Home Department in 1817 calls for a brief comment. President, secretaries, certain senators and representatives, and doubtless many of the more thoughtful citizens at all well informed about government administration were inclined to favor the measure. Yet when the measure came to the point of actual construction and enactment, it was halted and in the end cast out. To the reader of Congressional and newspaper evidence covering the years 1816-1817, two questions will be frequently suggested. It is impossible, moreover, to escape the belief that both questions were occasionally before the minds of men living in those days. (1) Could a Home Department be organized and administered with a view to economy? (2) Would its creation be a constitutional measure?

It should be remembered that the plan of a Home Department, while enforced by the growing burdens of administration—some of these burdens doubtless the direct result of the war, and others of much longer standing—originated in an effort to bring all the existing departments into clear accountability for their expenditures. Without more definite principles of accountability than had hitherto existed, any additional department would tend not only to increase the financial burdens of the government but to render the solution of the basic problem more difficult. From the standpoint of improved administration a Home Department would seem to have been amply justified by 1817. From the standpoint of national economy—a subject of special moment for the next decade—it was a measure of doubtful consequences and might, in view of other needs, be indefinitely postponed.

There was doubt about the constitutionality of a Home Department. This was plainly revealed by an anonymous writer in the *National Intelligencer* who printed his reflections on the organization of executive departments on February 20 and 22, 1817.<sup>25</sup> Among other things this writer proposed to obtain a "general enactment for the construction of the departments" in the shape of an

<sup>24</sup> *Ibid.*, pp. 18-19, 23-30, 33, 47, 52, 59, 60, 70, 74-75, 88, 234-235, 697-699.

<sup>25</sup> The writer, whoever he was, showed some ingenuity. He favored four principal departments: (1) Revenue; (2) Domestic Affairs; (3) Foreign Affairs; (4) War. "Domestic Affairs", he wrote, "naturally claim attention anterior to foreign affairs." The War Department he divided into two divisions—army and navy. The heads or "conductors" of these two divisions were to constitute a "Board of War". Domestic affairs he placed in five divisions, including Indian Affairs, the Post-Office, the Land Office, the Patent Office, and the Mint. Were these articles written by Judge A. B. Woodward?



amendment to the Constitution. Belief in the absence of constitutional power undoubtedly made certain minds in 1817 peculiarly sensitive to and critical of what Jackson characterized many years later as the "supposed tendency to increase . . . the . . . bias of the federal system toward the exercise of authority not delegated to it".<sup>26</sup>

In this connection it should certainly be noted that the project of a Home Department was inevitably entangled with that series of speculations which marked the entire movement for internal improvements—a movement which had its sources in the fundamental question of the proper disposition of the nation's money. There was apprehension lest the establishment of a Home Department would be used as an argument for enlarging the sphere of domestic legislation by the general government.

### III.

In 1824 new light is shed upon the path of the investigator bent upon reaching the establishment of the Department of the Interior in 1849. Clay could declare in 1824 with conviction that "a new world has come into being since the Constitution was adopted".<sup>27</sup> Already three years before this utterance in the House of Representatives, John Quincy Adams, forced by what he characterized as "the increase of the inquisitive spirit in Congress" to make investigations into his own department, recorded these comparisons and contrasts:

The foreign correspondence . . . remained much the same now as it was in 1800. . . . But the interior correspondence then was with sixteen States; it is now with twenty-four. It was then with a population of less than five, and now of more than nine millions. . . . At that time there were in Congress about one hundred and thirty members; there are now upwards of two hundred and thirty. Then two or three octavo and one folio volume constituted all the documents printed at a session. Now there are from fifteen to twenty volumes published every year. There are assuredly five calls from Congress for information and documents from the Departments for one that there was then. Every call requires a report.<sup>28</sup>

It was clear from these facts that the Secretary of State, unless he were robust and capable, might find his post burdensome in the extreme.

There appeared in the *National Journal* of 1824—a paper established in Washington and edited by Peter Force—various articles written by Judge Augustus B. Woodward. The first of these articles

<sup>26</sup> December 8, 1829. *Messages and Papers*, II. 461-462.

<sup>27</sup> January 30, 1824.

<sup>28</sup> *Memoirs of J. Q. Adams*, V. 239-240, January 19, 1821.

that concerns this inquiry was entitled "On the Necessity and Importance of a Department of Domestic Affairs, in the Government of the United States". Appearing on April 24, it was followed at irregular intervals by others which touched upon the subject of administrative organization or gave detailed consideration to different historical aspects of the presidency. Judge Woodward had been a student of the American executive for years. Whatever he wrote on his favorite theme was likely to be read by statesmen and other careful observers of public affairs. On friendly terms with John Quincy Adams, he is occasionally mentioned in Adams's *Memoirs*. Under date of July 24, 1824, Adams wrote of Woodward's articles on the presidency which were then appearing with some regularity. "They are", remarked Adams, "speculative and historical, referring to past events, but bearing so much upon those of the present time that I told him he was treading close upon warm ashes."<sup>29</sup>

Elaboration was the most notable feature of Judge Woodward's plan for a Department of Domestic Affairs. Under the secretary for such a department he would have included eight commissioners to be charged with the oversight of the following bureaux or administrative divisions: Science and Art, Public Economy, Posts, Public Lands, Mint, Patents, Indian Affairs, and Justice. He included in the bureau of Public Economy the superintendence and execution of internal improvements such as roads and canals, and such other matters as the care of unsettled public lands, the conservation of forests, slavery, mines, fisheries, and general police. The scheme attracted wide-spread notice and gained favorable comment here and there. But it lacked simplicity and failed to impress men high in administrative circles with its feasibility.<sup>30</sup>

In the autumn of 1824 President Monroe contemplated recommending to Congress a Department of the Interior. His reason for not doing so was recorded by John Quincy Adams under date of April 25, 1825. According to Adams, Monroe, having determined to recommend an increase in the number of the judges of the Supreme Court, was apprehensive lest "it would have too much the appearance of a projecting spirit to recommend also additions to the Executive Department".<sup>31</sup> Nevertheless just at the close of the second session of the Eighteenth Congress, on March 3, 1825, a member of the House offered a resolution in favor of the establish-

<sup>29</sup> *Ibid.*, VI. 401-402. See note 1 at the end of this article.

<sup>30</sup> *National Journal*, April 24, May 29, 1824. The same articles were reprinted about a year later in the *National Intelligencer* of April 23, 26, and 28, 1825. Woodward communicated some of his ideas to Madison. *Writings of Madison* (ed. Hunt), IX. 206 ff.

<sup>31</sup> *Memoirs*, VI. 532-533.

ment of a Home Department for the purpose of promoting agriculture, manufactures, science and the arts, and trade between the states by roads and canals. The resolution was promptly voted down—stamped at once with the disapprobation of the House.<sup>32</sup>

Such Washington papers as the *National Intelligencer* and the *National Journal* persisted in keeping track of the general project. As late as November 10, 1825—not many weeks before the assembling of the Nineteenth Congress—the *National Journal* copied a series of "Remarks" on the subject of a Home Department which had appeared in the *American Athenaeum*. "We shall feel grateful", concluded the writer in the *Athenaeum*, "if any gentlemen will favour us with a paper on this subject, writing in a truly national spirit, and tending to elucidate the *advantages or disadvantages* that may be expected to result from the establishment of a *Home Department* for the United States."

John Quincy Adams was the first president after Madison to call public attention to the need of an additional executive department. Under the obligation of an "indispensable duty", he did so in his first annual message of December 6. Remarking that "the Departments of Foreign Affairs and of the Interior, which early after the formation of the Government had been united in one, continue so united to this time, to the unquestionable detriment of the public service", he went on to refer deferentially to Madison's suggestion and said:

The exigencies of the public service and its unavoidable deficiencies . . . have added yearly cumulative weight to the considerations presented by him as persuasive to the measure, and in recommending it to your deliberations I am happy to have the influence of his high authority in aid of the undoubting convictions of my own experience.<sup>33</sup>

Both Madison and Adams could speak with all the more authority on the subject because they had each had eight years of experience as Secretaries of State before they entered upon the work of the presidency.

This recommendation of President Adams had been carefully discussed by the Cabinet before it was made public, as we know from the record of the *Memoirs*.<sup>34</sup> Rush of the Treasury Department urged the immediate communication of the recommendation in the message. Clay, Secretary of State, while admitting that a new executive department "was of most urgent necessity", was inclined to believe that Congress could not be persuaded to take any action in the matter. Nevertheless the House promptly sought light on the

<sup>32</sup> *Register of Debates*, 18 Cong., 2 sess. (1824-1825), I. 740.

<sup>33</sup> *Messages and Papers*, II. 315.

<sup>34</sup> VII. 62-63.

subject, appointing a special committee of which Daniel Webster was chairman.<sup>35</sup> Little could Webster have dreamed that his interest in the subject, first aroused in 1825, was to continue over an interval of almost a quarter of a century, and that finally he was to take a leading part in the passing of the bill of 1849 which actually established the Interior Department.

On the evening of December 16 Webster called on the President for the purpose, among other things, of obtaining from Adams his ideas. The President, like Clay, was in doubt about the attitude of Congress toward any such measure. From his record of the interview with Webster the reader may obtain a clear impression of his thought.

I said [wrote Adams], if it was possible in any manner to obtain this from Congress it must be by a very short Act, expressing in very general terms the objects committed to it—the internal correspondence, the roads and canals, the Indians and the Patent Office. I referred him to the papers of Judge Woodward on a Home Department in the *National Journal*, but observed that was a plan upon a scale much too large for the approbation of Congress, to begin with. I have indeed no expectation of success with this Congress for any such establishment even upon the simplest plan.<sup>36</sup>

The interview was apparently only the starting-point in the search for information. Late in the following January Webster addressed a letter on the subject to the four heads of departments, Clay, Rush, Barbour, and Southard. For some unknown reason Wirt, the Attorney-General, was ignored. Clay gave careful consideration to the letter, then answered it at length, approving the general plan and stating reasons why a Home Department seemed to him necessary. Rush declared himself too inexperienced in the business of the Treasury Department to have any decided opinion to offer. Barbour acknowledged that he would be glad to have pensions and Indian affairs off his shoulders as Secretary of War. Southard found his tasks as Secretary of the Navy not specially burdensome.<sup>37</sup>

That a bill was not only contemplated, but was actually in course of formulation at the time, would appear from Adams's reference on January 24 to "the proposed bill for the establishment of a Home Department", for the President added that "the duties to be assigned to it will be taken almost entirely from the Departments of State and of War".<sup>38</sup> But the evidence after this on the progress of the matter is scant. It is certain that no definite action on the subject

<sup>35</sup> *Ibid.*, VII. 83; *Register of Debates*, 19 Cong., 1 sess. (1825-1826), p. 797.

<sup>36</sup> *Memoirs*, VII. 83-84.

<sup>37</sup> *Senate Documents*, 21 Cong., 1 sess. (1829-1830), vol. II., no. 109, p. 13. Here will be found the correspondence.

<sup>38</sup> *Memoirs*, VII. 109.



was taken by Congress in 1826, although on May 22, the last day of the session, a report was made to the House and was placed on file.<sup>39</sup> The subject seems never again during Adams's term to have come before Congress. But Adams did not forget it, for as late as 1839, in a paper read before the New York Historical Society on "The Jubilee of the Constitution", he then deplored the absence of a Home Department.<sup>40</sup>

President Jackson, like his predecessor, Adams, was impressed by the justness of Madison's plea for an additional executive department. He gave the subject brief consideration in his first annual message of December, 1829. The State Department had from an early period, as he remarked, been overburdened with business owing to many complications in our foreign relations. These relations, moreover, had been very much extended because of large additions made to the number of independent nations. The remedy proposed, the establishment of a Home Department, had not met favorable attention from Congress "on account of its supposed tendency to increase gradually and imperceptibly, the already too strong bias of the federal system toward the exercise of authority not delegated to it". Accordingly in view of the popular expression of opposition he was himself disinclined to revive the old recommendation. Appreciating, however, the importance of somehow relieving the Secretary of State of larger burdens, he ventured to call the attention of Congress to the problem.<sup>41</sup>

Congress was inclined to respond to the suggestion. They endeavored to reorganize the office of the Attorney-General—a matter that Jackson considered of paramount importance—and carried out some slight alterations in that office during the spring of 1830.<sup>42</sup> The debates on the matter in the Senate show clearly that Webster, Rowan of Kentucky, and Barton of Missouri all favored a Home Department. One thing was perfectly obvious at this time—the incongruity in having Indian affairs under the Secretary of War, the Patent Office in the State Department, and a Secretary of the Treasury who was obliged by law to consider and decide innumerable problems connected with the public lands.<sup>43</sup>

<sup>39</sup> Printed in *Senate Documents*, 21 Cong., 1 sess. (1829-1830), vol. II., no. 109. The Report omits the text of a bill in a way which leads one to think that somehow the text might have been lost before the Report was printed.

<sup>40</sup> *The Jubilee of the Constitution*, A Discourse delivered at the request of the New York Historical Society, in the City of New York, on Tuesday, the 30th of April, 1839 (New York, 1839), p. 77.

<sup>41</sup> *Messages and Papers*, II. 461-462.

<sup>42</sup> See *Political Science Quarterly* (September, 1909), XXIV. 453-454.

<sup>43</sup> *Register of Debates* (1829-1830), vol. VI., pt. 1., pp. 276, 323-324. A textbook of the time remarked: "It is the opinion of many intelligent persons, that

Just before his retirement from the presidency Jackson put himself on record regarding the prosperous condition of the executive departments, referring to the ability and integrity with which these departments had been conducted.<sup>44</sup> Somehow Jackson's principal officers, it would seem, got on very well without a Home Department. But the topic of a Home Department cropped up in the newspapers occasionally after Jackson's term, for administrative burdens were constantly increasing and seemed to demand more careful differentiation than they had yet received.<sup>45</sup>

## IV.

President Polk followed Jackson's lead in more ways than one. Like Jackson he called attention in his first annual message of December, 1845, to the necessity of relieving the executive departments by redistributing various duties among them. The administrative organizations seemed to him in many places to be out of joint. He commented especially on the duties of a domestic nature which rested on the shoulders of the Secretary of State, and suggested that the Patent Office might well be transferred to the office of the Attorney-General. The tone of the recommendations was not robust and strong, but sounded as though Polk himself doubted whether, under the circumstances of trouble with Mexico over the Texas situation, Congress would be inclined to undertake measures of administrative reform.<sup>46</sup> No such measures at any rate were undertaken, for the war with Mexico soon absorbed attention and concentrated Congressional effort on other matters. Yet the results of the war—particularly the acquisition of territory from Mexico—and the control of the Oregon country as the outcome of the treaty of 1846, were largely responsible for the ultimate attainment of a new department in 1849.

Polk's cabinet was carefully selected. It contained several men of marked ability: James Buchanan was Secretary of State; William L. Marcy was Secretary of War; and Robert J. Walker was Secretary of the Treasury. It was Walker who was largely responsible for arousing Congress to an appreciation of the vital need for the act on the basis of which the Department of the Interior was organized in March, 1849.

the labors of conducting the government could be more easily and correctly performed by the establishment of a Home Department. . . ." William Sullivan, *The Political Class Book* (Boston, 1831), p. 90.

<sup>44</sup> *Messages and Papers*, III. 259.

<sup>45</sup> *National Intelligencer*, October 21, December 8, 1841. The *Cincinnati Gazette* about this time was vigorous in its approval of the project for a Home Department.

<sup>46</sup> *Messages and Papers*, IV. 414.

Born and educated in Pennsylvania Robert J. Walker, while a young man, moved to Natchez, Mississippi, and there allied himself to some extent to southern interests. A lawyer by profession, he showed from early manhood a vigorous interest in politics and gained a leading position in advocating the candidacy of Andrew Jackson for the presidency. Like Jackson he opposed nullification and the re-chartering of the United States Bank. He favored the Independent Treasury system. Although an owner of slaves, he could not approve many features of the slavery régime. Entering the national Senate from Mississippi at about the age of thirty-five, he was soon made chairman of the Senate Committee on Public Lands and engaged actively in the work of lawmaking. He was an indefatigable expansionist, first favoring the recognition of the independence of the Texas republic, and later, in 1844, arguing for its annexation to the United States. His fellow-citizens of Mississippi marked him as their choice for the vice-presidency in the campaign of 1844. His selection the next year by President Polk as head of the Treasury Department fostered ability already apparent and gave him new and unexpected opportunities to reveal unusual powers in constructive statesmanship. His first report as Secretary of the Treasury raised a storm of debate and led to the so-called Walker Tariff Act of 1846, of which he was in reality the framer. During his later life he acted for a brief time (1857) as governor of Kansas, then in a condition of turmoil. When the war broke out between the states in 1861, Walker stood loyally by Lincoln's administration and worked for it. He was for a time employed by the federal government as financial agent and expert on business that took him to Europe where he was able to negotiate some heavy loans for the Union cause. He died in Washington, in November, 1869.<sup>47</sup>

On December 9, 1848, after serving nearly four years at the head of the Treasury Department, Walker was moved to make certain definite recommendations to Congress in his last annual report for the purpose not only of relieving the Treasury Department from burdens, but also of altering the administrative organization in such a manner as ultimately to promote—as he explained—the interests of the American people. His report was dated four days later than Polk's last annual message. There was a patriotic note in Walker's suggestions that could not have escaped even a casual reader. Indeed it seems fair to assume that the Secretary of the Treasury considered the report as his valedictory word to the American people,

<sup>47</sup> *Democratic Review* (February, 1845), XVI. 157-164; *Green Bag*, XV. 101-106; *American Historical Review*, X. 357; Appleton, *Cyclopaedia of American Biography*, VI. 329; Taussig, *Tariff History*, fifth edition, p. 114.

delivered, as it was, from a position of marked prominence. His suggestions on administrative organization are worthy of careful attention, for behind them were ripe experience and association with men and measures of a momentous epoch. Inevitably they reflected the administrative deficiencies of an earlier time.

At the outset of his suggestions Walker was perhaps unduly deferential to the supposed wisdom of Congress in respect to any action that that body might be inclined to take. However, he began his considerations by asserting that the Treasury organization was defective and that its deficiencies made it peculiarly burdensome to any man at its head. In his view there was real danger lest the department might be broken down by the very weight of its own machinery.

Its varied and important duties [he declared], with the rapid increase of our area, business and population, can scarcely be all promptly and properly performed by any one secretary. Yet in detaching any of its duties from this department, the greatest care must be taken not to impair the unity, simplicity, and efficiency of the system . . . there are important public duties having no necessary connexion with commerce or finance, that could be most advantageously separated from the treasury, and devolved upon a new department. . . .<sup>48</sup>

This comment led Walker to the presentation of a positive plan for the new department which should be placed under a "head"—"to be called the Secretary of the Interior, inasmuch as his duties would be connected with those branches of the public service . . . associated with our domestic affairs. The duties of this new department . . . would be great and important, fully equal to those appertaining to the head of any other department except the treasury . . ."<sup>49</sup>

In Walker's plan there were five definite propositions, all of which were involved later in the act of 1849. In the new department he would place, first, the work of the General Land Office. Second, he would relieve the Secretary of the Treasury of sundry duties of supervision which had no necessary connection with finance, but were concerned with the expenses of the courts of the United States. Third, Indian affairs should have a place in the new department. Fourth, the Patent Office, taken from the supervision of the State Department, should come under the Secretary of the Interior. Finally, the Pension Office, a burden to the War Department, should also find a place under the new official.

On the subject of the Land Office, Walker was especially detailed and informing. "The business of the Land Office", he wrote,

<sup>48</sup> *Executive Documents*, 30 Cong., 2 sess. (1848-1849), II., Doc. 7, p. 35.

<sup>49</sup> *Ibid.*, p. 37.



"occupies a very large portion of the time of the Secretary of the Treasury every day, and his duties connected therewith must be greatly increased by the accession of our immense domain in Oregon, New Mexico, and California, especially in connexion with their valuable mineral lands, their private land claims, and conflicting titles. From all decisions of the Commissioner . . .", he continued, "an appeal lies to the Secretary of the Treasury." Then he added this comment from his own experience:

I have pronounced judgment in upwards of five thousand cases, involving land titles, since the tenth of March, 1845. These are generally judicial questions . . . requiring often great labor and research, and having no necessary connexion with the duties of the Treasury Department.<sup>50</sup>

Indian affairs called forth this statement:

The duties now performed by the Commissioner of Indian Affairs are most numerous . . . and must be vastly increased with the great number of tribes scattered over Texas, Oregon, New Mexico, and California. . . . These duties do not necessarily appertain to war, but to peace, and to our domestic relations with those tribes. . . . This most important bureau, then, should be detached from the War Department, with which it has no necessary connexion.<sup>51</sup>

About two months after Walker's report was made, Samuel F. Vinton of Ohio, a leading Whig and chairman of the Committee of Ways and Means in the House, presented a bill approved by his committee for the purpose of organizing a Department of the Interior.<sup>52</sup> Vinton promptly acknowledged that it had been prepared by the Secretary of the Treasury at the special request of the committee. "The bill", he declared, "with one or two unimportant alterations . . . was the bill as it came from the hands of the Secretary of the Treasury." Some time during the previous month of January it appeared that Vinton had visited Walker and had then urgently requested him to prepare a bill.<sup>53</sup>

This notable origin of the measure aroused not a word of comment in the debates in the House. One of the less conspicuous senators, however, was moved to remark that it should have been "a cabinet measure". Lack of co-operation on the part of the other principal officers tended in his opinion to condemn it.<sup>54</sup>

The House showed some opposition to the bill. Howell Cobb of Georgia, in the lead of the hostile elements, gave three reasons for

<sup>50</sup> *Executive Documents*, 30 Cong., 2 sess. (1848-1849), II., Doc. 7, p. 35.

<sup>51</sup> *Ibid.*, p. 36.

<sup>52</sup> February 12, 1849.

<sup>53</sup> *Congressional Globe*, 30 Cong., 2 sess. (1848-1849), XX. 514.

<sup>54</sup> *Ibid.*, p. 687. Allen of Ohio, March 3.

opposing the bill. He dwelt at some length on the fact that no preceding Congress had ever been willing to sanction such a measure. He showed that a new department would increase considerably the federal patronage. Moreover it was certain to add "another Cabinet officer to the Government".<sup>55</sup> But Cobb and his followers failed to convince. On February 15 the bill passed the House by 112 yeas to 78 nays.<sup>56</sup> This step had hardly been accomplished when John G. Palfrey of Massachusetts moved to amend the title by striking out "Department of the Interior" and substituting for it "Home Department".<sup>57</sup> This suggestion of Palfrey, truly doctrinaire in view of the fact that there was no reference in the text of the bill to anything but a Department of the Interior, fixed the title in law with an incongruity that did not escape later comment. Both Ewing and Stuart, first and third Secretaries of the Interior, referred to the matter.<sup>58</sup>

The Senate discussions over the bill were vigorous and at times acrid, but they were confined to a single day and evening session, for the bill was not reported by Senator R. M. T. Hunter of Virginia until March 3, the last day of the Thirtieth Congress. Hunter was mild in his opposition by comparison with his colleague, Senator James M. Mason, grandson of Colonel George Mason, member of the Philadelphia Convention of 1787. Mason made quite the most bitter protest against the bill that the record of debate shows; and he was seconded in his position by John C. Calhoun. The leaders of the small Senate majority that favored the measure were Daniel Webster of Massachusetts and Jefferson Davis of Mississippi. Both these men argued ably and well. The bill passed the Senate by a vote of 31 yeas to 25 nays.<sup>59</sup>

The particular note sounded by the Senate opposition at different times in the course of the debate was first suggested by Hunter.<sup>60</sup> It was not a new note, for Jackson's quick ear had detected it as far back as 1829, and it was probably even then well known. It was the expression of fear of any tendency that seemed likely to increase, however imperceptibly, the bias of the federal system toward authority not clearly delegated. The proposal in 1849 to create a new department—even though the move was really scarcely more than a readjustment of existing organization—aroused this fear in a manner not easy to understand. The fear was expressed in some variety of

<sup>55</sup> *Ibid.*, p. 516.

<sup>56</sup> *Ibid.*, p. 543.

<sup>57</sup> *Ibid.*, p. 544.

<sup>58</sup> See note 2 at the end of this article.

<sup>59</sup> *Globe*, 30 Cong., 2 sess., p. 680.

<sup>60</sup> *Ibid.*, pp. 670 ff.

ways. "Mr. President", exclaimed Calhoun, "there is something ominous in the expression, 'The Secretary of the Interior'. This Government . . . was made to take charge of the exterior relations of the States. And if there had been no exterior relations, the Federal Government would never have existed. . . . Sir, the name 'Interior Department' itself indicates a great change in the public mind. . . . Everything upon the face of God's earth will go into the Home Department."<sup>61</sup> Senator Niles of Connecticut felt that "the whole tendency of this Government is . . . to foster and enlarge the executive power which is becoming a maelstrom to swallow up all the power of the Government".<sup>62</sup>

To Senator Mason the bill for the new department seemed a project destined to place industrial pursuits and other interior concerns under the management of the general government. He could not avoid the sectional note:

Are we to increase this central power? More especially are we who belong to the South—who have very little more interest in this country than to have the protection of our independence with the other States; from whom a great part of the revenue is drawn, and to whom very little of it is returned; who pay everything to Federal power, and receive nothing for it. . . .

A little further along he declared:

We have yet some hope, although it may be impaired by the experience of every day, that the State organizations will yet outlive the overshadowing influence of this Federal Government.<sup>63</sup>

Into this confusion of thought and juggling with words there came the clearer ideas of such men as Webster and Davis. "Why call this the Secretary of the Interior?", asked Webster in response to Calhoun's rhetoric about a title. "The impression seems to be that we are going to carry the power of the Government further into the interior. . . . I do not so understand it. Where is the power? It is only that certain powers heretofore exercised by certain agents are to be exercised by other agents. That is the whole of it."<sup>64</sup> To Webster, grown old in active efforts for his country's welfare, his mind filled with recollections of the past, the historic aspect of the measure must have been deeply significant. "As far back as the time of Mr. Monroe", he said, "and up to this time, persons most skilled and of the most experience in the administration of this Government, have recommended the creation of some other department. . . . Gentlemen can remember what . . . Mr. Madison said on that subject." Then in another vein he added:

<sup>61</sup> *Globe*, 30 Cong., 2 sess., p. 672.

<sup>62</sup> *Ibid.*, p. 671.

<sup>63</sup> *Ibid.*, p. 672.

<sup>64</sup> *Ibid.*, p. 677.

It is said, but not very conclusively, that we create offices from time to time, and make additions to salaries. . . . Well, the country is increasing; the business of the Government is increasing; there is a great deal more work to be done. . . . This bill may not be perfect. . . . But the popular branch of the Legislature has passed it. It is here. It is my opinion that there is a general sense in the country that some such provision is necessary.<sup>65</sup>

Jefferson Davis was not forgetful of the force of an appeal to the past. He reminded his fellow senators that several of the great Virginian presidents were believers in the ideal of the bill. But perhaps his particular contribution to the debate was his reference in the following passage to the import of the bill to the "new States", among which Mississippi was at this time reckoned. "I feel a very peculiar interest in this measure", he asserted, "as every one who comes from a new State must feel." Then he said:

We are peopling the public lands; the inhabitants of the old States are the people of commerce. The Treasury belongs to us in common. The Secretaries of the Treasury must be taken from those portions of the country where they have foreign commerce, and therefore they are men who are not so intimately connected and acquainted with the relations and interests of the public lands in the new States.<sup>66</sup>

The implication was obvious that the interests of the new and the inland states were likely to be better guarded if the new department could be established.

To several Democrats the fact that a new Cabinet officer would have to be appointed was a disturbing thought. "We are assuming that those who are to succeed us require more advisers than we have had; we are doing that thing which they ought to do, if they think it is required."<sup>67</sup>

To the reader of the debates of 1849 the balance of argument seems strongly in favor of the measure. So thought the majority in both Senate and House. Late on the night of March 3 the bill was presented to President Polk for his signature. It was a long bill—too long to have received any very careful consideration from Polk during these last hours of his presidency.

I had serious objections to it [wrote Polk several weeks later in his *Diary*], but they were not of a constitutional character and I signed it with reluctance. I fear its consolidating tendency. I apprehend its practical operation will be to draw power from the states, where the Constitution has reserved it, and to extend the jurisdiction and power of the U. S. by construction to an unwarrantable extent. Had I been a member of Congress I would have voted against it.

<sup>65</sup> *Ibid.*, p. 671.

<sup>66</sup> *Ibid.*, pp. 669–670.

<sup>67</sup> *Ibid.*, p. 670.



In Polk's eyes the measure was inexpedient. It is altogether probable that, had he had more time, he would have vetoed it.<sup>68</sup> But fortunately the long struggle ended as it did. Three days later, on March 6, President Taylor sent to the Senate the name of Thomas Ewing of Ohio as first Secretary of the Interior. And on March 8 Ewing, duly commissioned, entered upon his duties, taking his place as seventh member of the Cabinet.

## V.

The plan of an Interior Department in 1848-1849 was essentially a Democratic measure in its source. It was the direct result of the pressure of administrative burdens. There is no evidence to show that general opinion outside administrative or Congressional circles had anything whatever to do with it. It was certainly not the outcome of wide-spread demand or popular pressure.

The establishment of the department was mainly dependent upon a House of Representatives containing a small Whig majority (117 Whigs and 111 Democrats) and upon a Democratic Senate (36 Democrats and 22 Whigs).<sup>69</sup> Circumstances and a few clear-headed men happily combined to enforce its need. The war with Mexico was over and settled. The new regions added to the national domain during Polk's term had increased or were likely to increase the burdens of administration to such an extent as to make the demand for a new administrative official and organization imperative.<sup>70</sup> The official, Secretary of the Interior Department, was conceived of as one who would naturally assume the rank and position of a Cabinet member. His department was bound to increase the range of the federal patronage. Knowledge of these facts served inevitably in Congress to smooth the way of the measure among Whig partizans, for Taylor was about to take office as a Whig president in succession to a Democratic régime. Much was to be said in favor of the intrinsic merits of the plan. It would provide, as Webster pointed out, a necessary organization. The action of the Ways and Means Committee together with the vote on the bill in the House afforded some evidence that the public was ready to approve such a readjustment of administrative work as would facilitate the tasks of the federal government which were growing year by year more numerous and more complicated.

Though familiar to public men since the foundation period of the

<sup>68</sup> *The Diary of James K. Polk during his Presidency*, ed. M. M. Quaife (Chicago, 1910), IV. 371-372.

<sup>69</sup> *Globe*, 30 Cong., 2 sess., p. 516.

<sup>70</sup> See note 3 at the end of this article.

Constitution and advocated more or less forcibly by such characters as Madison, Monroe, John Quincy Adams, and Andrew Jackson, the idea of a Department of the Interior was newly conceived and clearly formulated by an experienced and public-spirited Secretary of the Treasury from Mississippi. For the plan of organization Robert J. Walker has never received from any historian the credit that is his just due.<sup>71</sup> He voiced the need and launched the project more carefully than any statesman before him. But it must not be overlooked that his plan was skilfully and ably supported in a doubting Senate by two such leaders as Daniel Webster and Jefferson Davis.

HENRY BARRETT LEARNED.

# NOTES

1. Judge Augustus B. Woodward (c. 1775-1827) had published in 1809 a pamphlet entitled *Considerations on the Executive Government of the United States of America* (Flatbush, N. Y., pp. 87). In 1824 he was again writing on various phases of administrative work and taking a particular interest in the project for a Home Department—a subject, it should be said, which was not even mentioned in his pamphlet of 1809. Articles of his which I have observed will be found in the files of the *National Journal* of Washington, D. C., as follows:

- April 24, 1824. "On the Necessity and Importance of a Department of Domestic Affairs, in the Government of the United States."
- May 29. "On the Distribution of the Bureaux in a Department of Foreign Affairs: Supplementary to the discussion on the necessity and importance of a Department of Domestic Affairs. . . ."
- May 27 to August 31. At intervals between these dates there appeared about a dozen articles on The Presidency. These, together with the two foregoing articles, were collected and printed in the form of a pamphlet entitled: *The Presidency of the United States*, by A. B. Woodward (New York, 1825, pp. 88). The copyright date of this rare pamphlet was May 21, 1825.
- April 9, 1825. Letter from Willie Blount to Judge Woodward of Florida, dated March 14, 1825, approving Woodward's plan of a Department of Domestic Affairs. Woodward's reply.
- May 21. Letter of Major H. Lee to Judge Woodward, dated April 14. Woodward's reply.

In the *National Intelligencer* of Washington, D. C., of April 23, 26, and 28, 1825, Woodward's two articles that had appeared the year before in the *National Journal* of April 24 and May 29 were reprinted with a brief editorial comment on April 28 in favor of his plans. In general Woodward was opposed to what he termed the "cabinet system", but his writings do not leave the impression that

<sup>71</sup> But see Schouler, *History of the United States*, V. 121.

he had any very definite or practical substitute to offer in its place. In 1824 he was appointed federal judge for the West District of Florida (*National Intelligencer*, February 26, 1825). The probable year of his death is given as 1827 in Appleton's *Cyclopaedia of American Biography*, VI. 606. He appears to have been interested in science as well as government. Charles Moore has thrown some light on an earlier phase of Woodward's career in a slight sketch entitled *Governor, Judge, and Priest: Detroit, 1805-1815. A paper read before the Witenagemote on Friday evening, October the Second, 1891* (New York, pp. 24).

2. The first Secretary of the Interior, Thomas Ewing, in his Report of December 3, 1849, wrote:

The department is named in the title "A Home Department"; but the body of the act provided that it shall be called "The Department of the Interior". The title of the act, being the part last adopted in the process of enactment, is believed to express the intention of Congress as to the name. . . .

Secretary Alexander H. H. Stuart suggested in his Report of December 2, 1850, that Congress remove the ambiguity. But nothing was done until the revision of the statutes in 1873, when the department was properly entitled and characterized for the first time as an "Executive" department. In respect to the incongruity between the title and the text of the act of 1849, I venture to quote from a personal letter on the point sent to me under date of April 13, 1910, by Mr. Middleton Beaman, librarian of the Law Library of Congress and the Supreme Court:

So far as I know, the title of the act of 1849 is the only instance in which the title "Home Department" is used in legislation. Examination of the indexes of the Statutes at Large from 1849 to 1873 discloses numerous instances of reference to this department as the "Interior Department". . . . The title of the original act cannot govern the usage, as the body of the act expressly declared that the department should be called "The Department of the Interior". By well settled rules of statutory construction the title of an act can have no weight except where the provisions of the act itself are ambiguous. I therefore am of opinion that the official designation has always been "The Department of the Interior".

3. *Growth of the National Domain.* The extent of the land acquisitions that were made to the United States in Polk's administration will be easily understood by the following table:

1781-1802: Cessions by the States.....	819,815	square miles.
1803: Louisiana Purchase .....	877,268	" "
1805: Oregon .....	225,948	" "
1812: West Florida .....	9,740	" "
1819: Florida .....	54,240	" "

1845: Texas .....	262,290	square miles.
1846: Region north of the Colorado River.	58,880	" "
1848: Colorado and New Mexico .....	614,439	" "
1853: Gadsden Purchase .....	47,330	" "

(Taken from Professor T. N. Carver's article, "History of American Agriculture", in L. H. Bailey's *Cyclopaedia of American Agriculture*, IV. 50.)

It should be noted that none of the land in Texas belonged to the public domain and that much of the land in Colorado and New Mexico had been granted to private individuals before these regions came under the jurisdiction of the United States.



## THE FIGHT FOR THE NORTHWEST, 1860<sup>1</sup>

THE powers of government were all in the hands of the Democrats in 1858-1860; that is, the presidency, the Senate, the Supreme Court were overwhelmingly Democratic; only in the national House of Representatives was there an opposing force which could interpose a veto upon the conservative or reactionary movements in the national life, and this opposing force was not always sure of a majority even there.

The backbone of the Democracy was the South and the backbone of the South was slavery, the greatest single economic interest in the country. In the South there was no longer a conflict of opinion about "the institution", and all the cultural forces of all the states south of the Potomac and the Ohio, the churches, the schools, and the periodicals, were united in the demand that slavery should not only be let alone but declared to be morally right and socially desirable. Almost every senator, representative, and judge of the federal courts who lived south of Mason and Dixon's line was himself a plantation owner whose income from private sources was two or three times as great as that derived from political or judicial services. Not only so; every governor, two-thirds of the legislators and members of the state judiciaries, high and low, were in the same way intimately bound up with "the interests" and there was nowhere in the South a protest against this government of the people by a privileged class—a class which had governed the nation as well since 1844 and, according to Mr. Rhodes, could have been expected to continue to govern for a decade to come.<sup>1a</sup>

The power of the South in the administration of the nation had depended on the alliance with the West which had continued in one form or another since the advent of Andrew Jackson. The West was, to 1850, peculiarly the child of the South. The local institutions of most of the states north of the Ohio were Southern, and the prominent families as well as a majority of the people were of Southern origin. The rivers were their highways and the rivers ran southward.

<sup>1</sup> Paper read at the annual meeting of the American Historical Association in Indianapolis, December 30, 1910.

<sup>1a</sup> James Ford Rhodes, *History of the United States*, I. 422.

Though the Ordinance of 1787 forbade slavery in the Northwest many hundreds, even thousands, of slaves were owned and worked in Indiana, Illinois, and Iowa far into the nineteenth century.<sup>2</sup> One of Indiana's senators was the master of a slave-plantation in Kentucky; Senator Douglas owned in his wife's name a hundred negroes in Mississippi; both of Iowa's senators to 1855, Jones and Dodge, had been owners of slaves in Iowa to about 1840; while Henry Dodge, senator from Wisconsin, had also been a master of slaves. Cass, who represented the Northwest in the Cabinet, had held for many years that slavery could be lawfully carried into the territories. These were the most popular, the representative, men in their section before the appearance of Abraham Lincoln.

The people as a whole did not favor slavery, but their dislike of the negro was so great that as late as 1862 Illinois voted by a hundred thousand majority to forbid the immigration of negroes,<sup>3</sup> and for thirty years prior to the war no colored man was allowed to enter the bounds of the state except on condition of giving a bond of one thousand dollars as a guarantee of good behavior,<sup>4</sup> and what constituted "good behavior" was to be decided by local authorities hostile to the new-comer. In Iowa and Indiana the same policy obtained. Everywhere the weight of opinion and the burden of social disapproval rested heavily upon the shoulders of the ex-slave who had by some good fortune escaped the shackles of bondage.<sup>5</sup> Negroes were citizens without rights; they were not allowed to testify in court against a white man, nor to serve in the militia, nor to send their children to the public schools, nor to vote in any election, nor to contract a lawful marriage. Stephen A. Douglas boasted that he would not vote slavery "up or down"; the people of the Northwest agreed with him as to slavery but were more hostile to the freedmen than were the Southerners themselves.

During the decade following 1850 a great inpouring of population from the East gave the half-settled counties of northern Indiana, Illinois, and Iowa a new people who hated black folk less, who knew not the civilization of the old river counties, and who looked to the Old Bay State or upper New York as the sources of their ideals. Chicago was the centre of this New West—a fact of which Douglas had shown his appreciation by becoming a citizen of the magic city.

<sup>2</sup> C. T. Hicok, *The Negro in Ohio*, ch. II.; N. D. Harris, *Negro Servitude in Illinois*, chs. v., xiii.; *Iowa Journal of History and Politics*, II. 471-484; J. P. Dunn, jr., *History of Indiana*, chs. vi. and xii.

<sup>3</sup> N. D. Harris, *Negro Servitude in Illinois*, p. 239.

<sup>4</sup> *Ibid.*, pp. 235, 237.

<sup>5</sup> *Laws of Iowa*, 1850-1851, p. 244; Dunn, *History of Indiana*, pp. 406, 432, 441, 470; John Jones, *The Black Laws of Illinois* (Chicago, 1860), a pamphlet.

When in 1858 Douglas found his leadership of the Northwest challenged by Lincoln, this new element of the population in the three strategic states numbered about 1,500,000, of which 900,000 were in Illinois and Iowa. About 368,000 were foreign-born, mainly German and British.<sup>6</sup> The great majority of these later settlers were either hostile to slavery or jealous of the overweening power of the South, and they ranged themselves almost unanimously, at least at the beginning of the conflict, on the side of the opposition.

The Old West, the river counties, the gentry who had been the mainstay of the pro-Southern Democracy which had made Benton and Cass and Douglas great, was now evenly matched. In view of this change and in support of the economic needs of the new situation Douglas, who had been a strong ally of the South, revamped the doctrine of Polk, Benton, and others<sup>7</sup> of his day that slavery in the territories was dependent upon the will of the majority of their own settlers. While many Southern leaders saw at first in this a decided concession to their demands, it soon proved a sad delusion and became a rock of offense because it was sure to give the anti-slavery men control; but the idea was popular with the old order in the Northwest and it won many thousands of the new-comers—the very men who should have become the bone and sinew of the party of opposition and of free labor.

This remarkable feat gave to Douglas a popular following in the Northwest which in 1860 numbered 660,000 votes as against 550,000 in all the Southern States, for the regular or conservative wing of the Democracy. That is, the majority of the voters in the party were for Douglas and called themselves progressives, while a minority of the party sustained by the administration were in control and called themselves conservatives. Thus Douglas was building in 1858 a party within a party which, failing to secure his election in 1860, would throw the contest into the national House of Representatives.<sup>8</sup> This was so evident that Greeley, Seward, and Thurlow Weed advised the nomination of Douglas by the Republicans in 1860 or at any rate his endorsement by the leading anti-slavery journals as the only means of breaking the hold of the Southern oligarchy upon the Northwest.<sup>9</sup>

The meaning of the contest in the Northwest had been fully

<sup>6</sup> Census of 1860, *Population*, p. xxix.

<sup>7</sup> *Diary of James K. Polk*, IV. 136-137, 140-142; A. C. McLaughlin, *Life of Cass*, p. 237—the Nicholson Letter.

<sup>8</sup> *Democratic Press and Tribune* (Chicago), September 15, 1858, quoting the *Washington Union*.

<sup>9</sup> J. F. Newton, *Lincoln and Herndon* (1910), pp. 147-148, 215.

understood by the South as early as 1855. In that year Henry A. Wise wrote to his friend, Senator George W. Jones of Iowa:<sup>10</sup>

These *isms* [abolition] are not getting to be but are already treason. I would treat them as such. . . . I had rather see an earthquake swallow the mountains of the continent than to see disunion, but it will come unless these *isms* are repelled and suppressed as you would invasion or insurrection. Just hold up the rod in the N. West until the sun goes down and we will give 'em a Joshua defeat yet. You who are true in the non-slaveholding states are of the very truest, and you must not relax a muscle.

And in a later letter he named several prominent men in the Northwest who were true. Jefferson Davis warned his friend in Iowa in 1857.<sup>11</sup> "We shall have work enough for you, and whilst I am there [in the Senate] I can not afford to spare you. . . . Bring your state into line and secure first your own re-election and then a good colleague." Hammond of South Carolina saw in 1858 what most other Southern leaders thought they saw:

that the most valuable part of the Mississippi valley belongs to us [the South] and, although those who have settled above us are now opposed to us, another generation will tell a different tale. They are ours by the law of nature; slave labor will go over every foot of this valley where it will be found profitable to use it, and those who do not use it are soon to be united with us with such ties as will make us one and inseparable.<sup>12</sup>

This was the resolute language of the leaders of the South, and the leaders of the South at that time could speak with an authority not usual in American history. Before Douglas broke with his party in 1858 all energies were bent to hold the Northwest, and there was no good reason to doubt that the coveted region would keep its place in the Democratic column. Even after Douglas defied the Buchanan administration, Wise and Alexander H. Stephens and John A. Gilmer of North Carolina continued to fight for the Northwest, for the natural alliance of the Southern up-country and the upper Mississippi states.

No one ever saw quite so clearly as Lincoln the real meaning of this contest, and none did so much to defeat it. Without Lincoln, Douglas and Squatter Sovereignty would, I think, have held those two sections together despite the extreme demands of the lower South on the one hand and the East on the other.

<sup>10</sup> Letter of July 27, 1857, in the Iowa Historical Society. I wish here to extend my thanks to Professor B. F. Shambaugh of the University of Iowa for courtesies and assistance rendered me in my search for materials for this study.

<sup>11</sup> Letter of May 9, 1857, in the Iowa Historical Department.

<sup>12</sup> Speech in the United States Senate, March 4, 1858. Hammond's idea was that the railroads connecting the West and the South would so stimulate reciprocal trade between the farmers and the planters that the resistance of the Chicago-Detroit region would be overcome.



Lincoln's work from 1858 to 1860 was to defeat this Southern purpose and to widen the breach already ominous between Douglas and his quondam friends. The ground he took was that of the Declaration of Independence and he made Jefferson his patron saint. He attacked the Supreme Court as an engine of partizan and reactionary opinion, while his newspaper supporters<sup>13</sup> declared the national judiciary to be a "subtle corps of sappers and miners of our constitutional fabric . . . nine respectable old gentlemen, slave drivers who could not maintain one set of opinions five years in succession".<sup>14</sup> This was radicalism to match the worst that Seward had ventured even to his New York and Michigan followers. But Lincoln went even further, and declared that the nation was a house so divided against itself that it could not be expected to stand.

Douglas had enough to do to maintain himself as a progressive nationalist against such an antagonist; but the South and the administration now turned upon him. The President "read him out of the party", withdrew all governmental patronage, and sent John Slidell, the master manipulator of the party, to Chicago early in August to instruct the faithful how to "make an end" of the renegade who had dared to defy the President.<sup>15</sup> Never in the history of American party warfare has any leader been more bitterly attacked by the head of his own house. Wise published a letter<sup>16</sup> declaring it "a tyrannical proscription which would, alike foolishly and wickedly, lop off one of the most vigorous limbs of the national democracy, the limb of glorious Illinois".

But the Southern leaders gave up their fight to control the Northwest after the results of the campaign of 1858 became known, and planned to prevent the nomination of Douglas in 1860 or to win another lease of power from the House of Representatives. Jefferson Davis said at Jackson, Mississippi, in 1858, that the next presidential contest would be in the House<sup>17</sup> and this was the view of the national Democratic organ, the *Washington Union*. It was generally admitted from 1858 to 1860 that if the contest were carried into the House the South would win and Jefferson Davis or some other strong Southern man would be the victor.<sup>18</sup>

The great Southern senators planned to save their cause and the

<sup>13</sup> *Democratic Press and Tribune*, July 29 and August 2, 1858.

<sup>14</sup> *Ibid.*, September 11, 1860.

<sup>15</sup> *Ibid.*, August 11, 1858.

<sup>16</sup> *Illinois State Register*, October 12, 1858.

<sup>17</sup> *Press and Tribune*, December 2, 1858, quoting the *Vicksburg Whig* of November 10, 1858.

<sup>18</sup> *Press and Tribune*, October 3 and 4, and November 23, 1860; also testimony of Henry Adams in *Mass. Hist. Soc. Proceedings*, XLIII, 661.

peace of the country by "carrying the election to the House". Douglas was to Davis quite as bad as Seward, whom every politician expected to be the Republican candidate. But Douglas could hold the Northwest against the great New Yorker and, with the electoral vote of the North divided, the candidate of the conservative or Southern Democracy would have the largest number of votes and the best chance of election in a contest in the House where the vote would be by states and where the Republicans could not hope to win a majority.<sup>19</sup> Douglas Democrats would certainly unite with their former Southern allies rather than with their opponents at the North. The break-up of the Democratic convention at Charleston was therefore not such a radical thing as it seemed; under the existing state of things the Senate calculated reasonably upon the success of their programme. If William L. Yancey foresaw a disruption of the Union, Jefferson Davis certainly did not, except in a contingency which the great Southern leaders did not expect.

In many sections of the South the public faith in the ability of the Senate group to save the country from the Republicans was strongly manifested, and to save it by the plan I have outlined, for if the House should fail to elect, the Senate would proceed at the proper time to choose a president from the list of candidates for the vice-presidency. The New Orleans *Delta* declared early in July<sup>20</sup> that the candidates before the House would "unquestionably be Breckinridge, Lincoln, and either Douglas or Bell", and the *Charleston Mercury* said "we incline to believe that it will end in Gen. Lane being President of the United States".<sup>21</sup> The more cautious *Richmond Enquirer*<sup>22</sup> thought the list of candidates before the House would be Lincoln, Bell, and Breckinridge, and that probably none of these could win the necessary majority of states "and the conflict would thus be transferred to the Senate" where Hamlin and Everett would be the competitors, which Whigs ought to seek to avoid by giving up their ticket and supporting Breckinridge, to make the Democrats certain of victory, a result which all Southerners must of course prefer to the election of a New Englander. It does not seem to have occurred to the editor that the Republicans would win. On July 26, 1860, the *Enquirer* said "it is demonstrable that Lincoln can not be elected, and that in case of no election in the House, Joseph Lane will be elected by the Senate". These are typical expressions of the Southern press during the summer.

<sup>19</sup> The Republicans controlled fourteen, at most fifteen, of thirty-three delegations in the House.

<sup>20</sup> *Daily Delta*, July 4, 1860.

<sup>21</sup> *Charleston Mercury*, July 9, 1860.

<sup>22</sup> *Richmond Enquirer*, July 13, 1860.

What the South regarded with utmost approval as a fairly certain deliverance from the democracy of Lincoln the Douglas men declared to be a Senate conspiracy to defeat the will of the people, and all the candidates but Breckinridge were urged to unite against

the dark and fatal plot concocted by James Buchanan, Jefferson Davis, John C. Breckinridge and Jo. Lane to throw the decision of the next presidency into the Congress of the United States. . . . These men hold the Senate of the United States in their hands as their fief and can wield it against the North and against the conservatism of the South like a ponderous engine of mischief; and they are now exulting upon what they conceive to be the certainty of giving to the Senate the choice of the Vice President, who shall be President for four years from the fourth of March 1861.<sup>23</sup>

The *Mobile Register* of July 21—a Douglas paper—reports that “[it] is a conspiracy of the Democratic senators against Douglas, because he is in their way, and their object is to prevent an election by the people, knowing that the House is very little likely to agree, and in case of their failure to do so, then the whole game is in the hands of the Senate conspirators”.

Another feature of this campaign, not generally noted, is that the conservative Democrats concentrated their efforts on doubtful districts in the North and consequently deprived the Republicans of a majority in the House elected at the same time that Lincoln was chosen to the presidency—a plan not infrequently resorted to now in the fierce conflicts between conservatives and liberals in both state and national elections.

While the South was thus planning to save herself first from Seward then from Lincoln, whose nomination really prevented, if one may rely upon the appearance of things at all, the success of the Senate programme, the Northwest was passing through a crisis as vital to the interests of that section as to the success of the Republican party. The policy of Lincoln in 1858 had been radical. The leaders of Illinois had taken the “bit in their teeth” in 1858 and defied Seward, Weed, Greeley, and Crittenden, all of whom favored a tacit support of Douglas and who had held a conference in Chicago prior to the senatorial campaign in Illinois and had given Douglas assurance of their support.<sup>24</sup> Lincoln’s fight had been for principle, not simply for victory, while the great men in his party had held aloof and half wished for his failure. He knew that Seward was conservative, though he spoke the language of the radical, and that the success of the party in 1860 required a decent respect for the appearance of conservatism on the part of its standard-bearer. The

<sup>23</sup> The *Washington Constitution*, July 12, 1860, quoting the *Philadelphia Press*.

<sup>24</sup> J. F. Newton, *Lincoln and Herndon*, pp. 197, 215.

Republicans of the Northwest had built up a machine, an insurgent organization, on the basis of human rights as against the rights and immunities of property.

But the election of 1858 seemed to show that the idealistic principles of the Declaration of Independence do not win majorities in this country. The gains in Indiana, Illinois, and Iowa legislatures of that year were far from commensurate with the known growth of the anti-slavery counties.<sup>25</sup> In fact the property-holding classes of the Chicago region were going over to the Douglas plan of settling the slavery problem. And in 1859, in Iowa, with a population of over 600,000, the Republican candidate for governor, Kirkwood, after a most sensational and demagogical campaign, was able to poll but a meagre majority of 2500—a majority no larger than that of Grimes in 1854 when the population was not half as great.<sup>26</sup> It was plain to all that the conservative forces were holding their own and attracting many of the new-comers. Then came the John Brown raid, which appeared at once as a Republican move or the logical result of the teachings of the party. Many men of the Northwest, like Cyrus H. McCormick, pointed to this as the natural outcome of the house-divided-against-itself doctrine. Indeed the chances of the young Republican party to win in 1860 were decreasing, especially in these strategic states.

The great churches of the Northwest were becoming aroused to the dangers of radicalism. The Catholics made no denial that they were on the conservative side; one of the party cries of 1860 was that Douglas had bowed the knee to the Pope in Rome on his recent visit to Europe. The Episcopalian organ, the *Chicago Record*, acknowledged in December, 1860, that the bishops and clergy of that denomination had never raised their voices against the South or slavery.<sup>27</sup> But a much more effective influence among the staid property-holding people was that of the Presbyterians. This denomination was especially strong with the old families and its membership for this region in 1860 approached 150,000.<sup>28</sup> Between 1854 and 1858 a strong movement in favor of positive action in the synods against slavery had grown up. Dr. E. M. McMaster was the recognized spokesman of this sentiment. In 1857 he and his friends pro-

<sup>25</sup> The Indiana legislature of 1858 was composed of 75 Republicans and 75 Democrats; in Illinois the Democratic majority in the legislature was 8; while in Iowa the parties stood 63 Republican to 45 Democrat. Cf. *Tribune Almanac*, 1858.

<sup>26</sup> Louis Pelzer, *Life of A. C. Dodge*, pp. 243, 246-247.

<sup>27</sup> *Chicago Record*, December 15, 1860.

<sup>28</sup> Census of 1860, *Statistics of the United States*, miscellaneous volume, pp. 371-392. The actual membership cannot be ascertained, but the figure given seems to be a fair estimate from data given in the census returns.



cured gifts in land and money for the establishment of a theological seminary in Chicago. McMaster was selected as one of the professors and was looked to as the first president. But Dr. Nathan L. Rice, then of St. Louis, feared the new institution might become another Oberlin and appealed in a personal canvass to the ten synods of the Northwest to turn over the whole programme, with whatever assets there were, to the next meeting of the General Assembly of the Presbyterian Church, a body almost certain to be dominated by its Southern membership and ministers.<sup>29</sup>

A vigorous campaign was waged during 1858 and 1859 by the leaders of both parties, with the result that Rice and the pro-slavery element "carried" eight of the ten synods. The national Presbyterian Assembly met in Indianapolis in May, 1859. A committee, of which Dr. B. M. Palmer<sup>30</sup> of New Orleans was chairman, reviewed the case and established the institution in Chicago, giving it the name which it now bears, the McCormick Theological Seminary. The election of professors was referred to the General Assembly, which removed McMaster by a vote of 314 to 45 and filled every chair in the new school with friends of Rice. A not inconsiderable influence in bringing about this overwhelming defeat of the anti-slavery forces was the active support of Cyrus H. McCormick, who gave \$100,000 to the endowment of the seminary and who practically demanded that his pastor<sup>31</sup> should be the president. Rice was made president and within a year he delivered three lectures in the North Church, Chicago, proving from the Bible that slavery was not only not contrary to the Divine Will but positively sanctioned by both the Old and the New Testaments.<sup>32</sup> Rice was undoubtedly the most influential man in his church in the Northwest and his victory was complete. It was openly declared by more than one witness to these incidents "that our church is sold to slavery". The anti-slavery leaders were denounced and McMaster was left for a long time without employment.<sup>33</sup>

<sup>29</sup> T. E. Thomas, *Anti-Slavery Correspondence*, pp. 96 ff.; Leroy J. Halsey, *History of McCormick Theological Seminary*, chs. vi. and vii.

<sup>30</sup> Dr. Palmer was an extreme pro-slavery champion. Cf. *Life of B. M. Palmer* by T. C. Johnson, pp. 209-210.

<sup>31</sup> Dr. Rice had been called to the North Presbyterian Church, Chicago, through the influence of Mr. McCormick in 1858.

<sup>32</sup> Thomas, *Anti-Slavery Correspondence*, p. 106; Halsey, *History of McCormick Seminary*, p. 149.

<sup>33</sup> For the views of this assembly and the questions there discussed see *Southern Presbyterian Review*, 1859; I have been unable to get the *Review* for this date, but Johnson, *Life of Palmer*, p. 192, quotes from the account of the proceedings; *Princeton Review*, article by Charles Hodge; T. E. Thomas, *Anti-Slavery Correspondence*, ch. v., especially p. 111.

The slavery question had caused the break-up of the Methodist Church in 1844. The Northwestern churches adhered to the anti-slavery party; but from 1857 to 1860 a second division in Indiana, Illinois, and Iowa was imminent. The rule of the Northern church was that all slaveholders should be denied the sacraments, but the preachers had been unable to enforce this in most of the Northwest. When the question became acute in 1855 the annual conferences<sup>34</sup> whose territory lay along the Ohio and the Mississippi took sides openly with the South and declared slavery only an evil, some taking the ground of the Presbyterians that it was sanctioned by the Divine Will. Even the more Northern conferences were weakening in their anti-slavery attitude.<sup>35</sup>

The national gathering of the Northern Methodists was to meet in Buffalo in May, 1860. Many petitions were sent up to this body demanding a change of the rule on slavery. A majority of those from the Northwest came from the northern counties of Illinois and asked that it be made compulsory on the ministers and that all slaveholders should be excommunicated. A very large number asked a continuance of the existing order of things.<sup>36</sup> The General Conference, fearing a second break in the ranks of the church, refused to act, only warning preachers<sup>37</sup> and laity to "keep themselves unspotted from this great evil". When the General Conference came to this conclusion the editor of the *Northwestern Christian Advocate*, the organ for the church of this section, joined Dr. Rice and declared that "slavery has never been proven to be a sin similar to polygamy, idolatry and drunkenness", but that it rested upon good Bible authority.<sup>38</sup> Thus another great influence was added to the Southern propaganda; and the Methodists were the most numerous of all the denominations in the Northwest, their churches offering accommodation for more than 700,000 worshippers as compared to 230,000 for the Presbyterians.<sup>39</sup>

The Baptists, somewhat more numerous than the Presbyterians, commanded much less public attention because of their loose, incoherent organization; yet they joined the pro-slavery party. Their greatest leader, John M. Peck, who had opposed the introduction of slavery into Illinois in 1823, was in sympathy with the South and

<sup>34</sup> Annual conferences were the legislative units in this denomination corresponding to the synods among the Presbyterians.

<sup>35</sup> *Press and Tribune*, October 25, 1860.

<sup>36</sup> *Northwestern Christian Advocate*, May 23, 1860.

<sup>37</sup> J. M. Buckley, *A History of the Methodists in the United States*, pp. 499-501.

<sup>38</sup> *Northwestern Christian Advocate*, May 23 and June 6, 1860.

<sup>39</sup> Census of 1860, *Statistics of the United States*, miscellaneous volume, pp. 371-392.

ministered to slaveholding churches in St. Louis and Covington, Kentucky, during the closing years of his life.<sup>40</sup> During the excitement of the Lincoln-Douglas debates one of the correspondents of the *Christian Times*, the organ of the Baptists for the Northwest, ventured to suggest that "we as a Christian body, freely but tenderly, discuss and pass our views and consider whether we, the Church of Christ, are holding a clean hand in regard to slavery". But no editorial response came to the query, nor did the paper publish a line of approval of the cause for which Lincoln was fighting; and a careful perusal of the reports from all the local and general meetings of the Baptists in Indiana, Illinois, Iowa, and Wisconsin fails to show a resolution of any sort on the subject. When Lincoln was nominated by the Chicago convention, the editor of the *Christian Times* practically advised his friends and fellow-churchmen to vote for Douglas.<sup>41</sup>

Even the Congregationalists were unable to hold their membership to a radical anti-slavery programme, as was clearly shown in a meeting called by them in Chicago to pay tribute to the character of John Brown.<sup>42</sup> Of the twenty-three preachers in Springfield in 1860 only three voted for Lincoln.<sup>43</sup> The denominational journals found space for articles on "the Condition of Turkey", "the Dying Hours of Aaron Burr", and the "Color of the Water of the Mediterranean", but never a word on the condition of their own country, where a great struggle between privilege and democracy was being waged. There were many earnest Christian people in the Northwest who lamented this break-down of the churches, but their voices were not heard. Churches then, as now and in history generally, were on the side of the "biggest battalions", of wealth and power.<sup>44</sup> It is no wonder that Lincoln could not bring himself to join any religious denomination; for one thing is certain, had the great cause which he represented been left to a plebiscite of the churches, it would have been overwhelmingly defeated.

Late in 1859 it was plain to the wayfaring man that Douglas was stronger than he had been in 1858, and it was equally clear to astute leaders like John Wentworth and Joseph Medill of Chicago that Douglas was playing into the hands of the South in its last political

<sup>40</sup> Rufus Babcock, *Memoir of John Mason Peck, D.D.*, chs. xxx.-xxxI.; *The Christian Times* (Chicago), August 25, 1858.

<sup>41</sup> *The Christian Times*, May 23, 1860.

<sup>42</sup> *Ibid.*, October 25, 1859.

<sup>43</sup> Newton, *Lincoln and Herndon*, p. 276; J. G. Holland, *Life of Lincoln*, pp. 236-239.

<sup>44</sup> I have taken into account only the larger denominations, but there is evidence to show that even the smaller churches had ceased to agitate against slavery.

campaign for national power. They had learned to "play the game" too, and they were bent on putting Lincoln forward as a conservative—"a Henry Clay Whig"; the time for sharp though just attack upon the Supreme Court, for an idealist appeal like that of the Declaration of Independence, had passed. Lincoln did not oppose though he never publicly assented to their idea of putting property above human rights.<sup>45</sup> But when he spoke at Cooper Institute in New York in February, 1860, he was careful to found his doctrines upon the Constitution and the "Fathers", and not upon the great Jeffersonian dictum that "all men are created free and equal". He did not, in the East, say that the house was hopelessly divided, and his utterance was everywhere regarded as conservative; so much so that Lincoln himself said the people of the West did not think much of the speech and he did not blame them.<sup>46</sup> But this attitude was necessary both for the East and the West in 1860, if the Republicans were to win.

It is not surprising, therefore, that the Chicago Convention put forward the promise of a free homestead to every new-comer, that it guaranteed liberal wages to the laboring man, high prices to the farmers, and general prosperity to all other classes. The strong human appeal of 1858 was entirely overshadowed by these worldly-wise resolutions.<sup>47</sup> The surrender by the Republicans of their idealistic resolutions of 1856 did not take place without a struggle. Joshua R. Giddings offered to insert passages from the Declaration of Independence, but he was voted down. When, however, he was about to bolt the convention, George W. Curtis saved the day by an adroit move which won, at least in words, the point on which Giddings could not get a hearing, and the second resolution of the platform was inserted.

Two important issues had been forced upon the party of "moral ideas": (1) the Pennsylvania Democrats and the old-line Whigs, some of whom must be won, were demanding a protective tariff, and both the Cameron men and the Bates delegates were asking for the substitution of a high tariff plank instead of the roseate language of the Declaration of Independence; (2) the homestead bills which had been defeated again and again in a Democratic Senate had become very popular with the Germans and other Western immigrants who

<sup>45</sup> Nicolay and Hay, *Abraham Lincoln; Complete Works*, I. 532-533.

<sup>46</sup> George H. Putnam, *Abraham Lincoln*, p. 258, where the correspondence concerning the Cooper Institute address is published.

<sup>47</sup> Edward Stanwood, *History of the Presidency*, pp. 291-294; Murat Halstead, *National Political Conventions of 1860*, pp. 136-137; *Proceedings of First Republican Conventions*, pp. 136-137, 140-142.



were urging the free distribution in small tracts of the public lands.<sup>48</sup> The candidate who would endorse these "planks" would win votes from the followings of Cameron and Bates and Chase, and Lincoln was not averse to either. Besides, the public though not real radicalism of Seward must be counteracted by an avowed conservatism which would not only attract the groups already indicated but satisfy the Western men, for the latter were growing timid in the face of the dangers which were constantly held up by supporters of the South in the Northwest as the consequence of Republican success.<sup>49</sup> There can be no doubt that the homestead policy greatly influenced Illinois, or that the tariff won Pennsylvania. And when Lincoln's nomination was announced by the Chicago Republican papers it was, indeed, as a Henry Clay Whig, not as an anti-slavery candidate. There was some criticism of this on the part of idealists West and East, but the wise men who had captured the party knew that idealism had never won an American political campaign.<sup>50</sup> The Republican standard had been lowered in order to win the strategic states of the Middle West and to prevent the election from being carried to the House of Representatives.

Still the three states under consideration would have given their electoral votes to Douglas but for the loyal support of the Germans and other foreign citizens led by Carl Schurz, Gustav Koerner, and the editors of the *Staatszeitung* of Chicago. Schurz had enlisted for the war, and from 1858 to 1861 he called out to his countrymen everywhere to rise in arms against the South.<sup>51</sup> "A solid column of German and Scandinavian anti-slavery men [are] here who know how to handle a musket and who will fight too", was one of his appeals; which shows something of an enthusiasm not welcomed even by the head of the ticket.<sup>52</sup> But the idealism of the foreigners was supplemented by the work of the railroads which built new towns along their lines and peopled their prairie lands with new and idealistic settlers.

The Illinois Central Railway Company, supported by the other railroad corporations, was a conservative force in politics. It was

<sup>48</sup> B. S. Terry, "Die Heimstätten-Gesetz-Bewegung", in *Deutsch-Amerikanische Geschichtsblätter*, 1902-1903.

<sup>49</sup> Gustav Koerner, *Memoirs*, II. 90-92; Newton, *Lincoln and Herndon*, ch. VIII.

<sup>50</sup> For motives of the platform-makers see F. Bancroft, *Life of Seward*, I. 530-531.

<sup>51</sup> Speech delivered in Chicago September 30, 1858.

<sup>52</sup> But Schurz himself lowered the standard late in the campaign when he addressed an audience of south Illinoisians: "[We shall] adopt a policy which will work the peaceful and gradual extinction of slavery; for if we do not we shall have to submit to a policy which will work the gradual extinction of liberty." *Twenty-seventh Annual Report of the Anti-slavery Society*, p. 34.

largely a creation of Douglas, Sidney Breese, the Dodges of Iowa and Wisconsin, and other Democratic politicians who hoped to give the West a new stimulus not unlike that which DeWitt Clinton had given when he opened his Erie Canal. The capital for the venture had been found in New York and Boston. The same group of men directed the affairs of the Illinois Central that directed the Panama Railroad and the Pacific Mail Steamship Company—Aspinwall, Robert Schuyler, president of the New York Central, and Thomas Ludlow, president of the Panama Railroad Company, all Democrats and all deriving great benefits from the subventions of the federal government.<sup>53</sup> The Mobile and Ohio Railroad, which received a grant of land from the federal government at the same time the Illinois Central received its grant, was likewise under the same control. Thus a group of capitalists living in New York and Boston connected with the transportation interests of New England and the Middle States, controlling the only means of transit across the Isthmus of Panama, interested in the larger commercial affairs of China and India, exercised great power in Illinois, Indiana, Iowa, and the states southward toward the Gulf. They were in closest affiliation with senators and representatives<sup>54</sup> and had been accustomed to control politics when it suited their interests to do so.

Yet the "Illinois Central", in spite of its conservative, even reactionary, intentions, contributed largely to the success of Lincoln and his party. The immense tract of land lying in middle Illinois which it had received from the national government was sold rapidly to immigrants from New England and from Germany. The land agent of the road published a guide to foreigners which was widely circulated in Germany and which directed all new-comers to this region.<sup>55</sup> About one million acres of land was disposed of to settlers during the years 1856 to 1857 and a great many of the 411,900 souls added to the population of Illinois alone between 1856 and 1860 came as a result of the railroad development. Towns sprang up along the railways in a phenomenal manner; Dunleith, for example, counted a population of 5 in 1850 and 2000 in 1859; Urbana had about 1000 in the former year and 4000 in the latter, while Centralia was an open prairie in 1854 and a thriving town of 2500 five years later.<sup>56</sup> The

<sup>53</sup> W. K. Ackerman, *Sketch of the Illinois Central Railroad*; also an anonymous *History of the Illinois Central* (1900); *Fergus Papers*, no. 4, *Early Illinois Railroads*.

<sup>54</sup> "Memoirs of George W. Jones", in manuscript, in the archives of the Iowa Historical Society.

<sup>55</sup> Pamphlet reports of the Illinois Central Railroad, 1855 to 1860, in Chicago Historical Society Library.

<sup>56</sup> *Ibid.*, list of towns and their growth.

people who came to the state at this time were Germans, English, Scotch, and New Englanders, and they brought with them opinions and ideas hostile to slavery and to the South and they settled in the evenly balanced middle counties of Illinois where a few votes and a little anti-slavery propaganda counted for much. A comparison of the accompanying maps shows how the leaven was at work, how the hostile corporations were contributing mightily to the cause which they opposed. What I have said as to Illinois applies with equal force to Iowa, where conditions were similar and, as we have seen, the conflict was close.

The conservative trend which held back Chicago, Springfield, and other towns like Dubuque, Iowa, was counteracted by the foreigners, whose property interests had not overcome their idealism and who saw in Lincoln, despite his silence or quiet disclaimers, the champion of the essential American ideas of human equality and freedom. These little colonies planted in the border counties are responsible for the changes which the map discloses, while of course the stable majorities of the solid northern counties did the rest.

The count showed that the Republicans polled in these states 387,603 votes, or a majority over all other candidates of only 30,000,<sup>57</sup> while in the whole Northwest Lincoln's majority was only 6600 over all other candidates. A change of one vote in 27 would have given these states to Douglas, and a change of one vote in 20 would have given him the whole Northwest, and the contest would have been transferred to the national House of Representatives where the South would almost certainly have won.

It seems, therefore, fair to conclude that the flood-tide of Republican idealism was reached in 1856-1858; that the able and well-organized aristocracy of the South came near to winning their point—an election in the House; that the property and religious influences of the Northwest compelled Lincoln and his advisers to recede from the high ground of 1856-1858; and finally that the contest was won only on a narrow margin by the votes of the foreigners whom the railroads poured in great numbers into the contested region. The election of Lincoln and, as it turned out, the fate of the Union were thus determined not by native Americans but by voters who knew least of American history and institutions.

WILLIAM E. DODD.

<sup>57</sup> *Tribune Almanac*, 1860.





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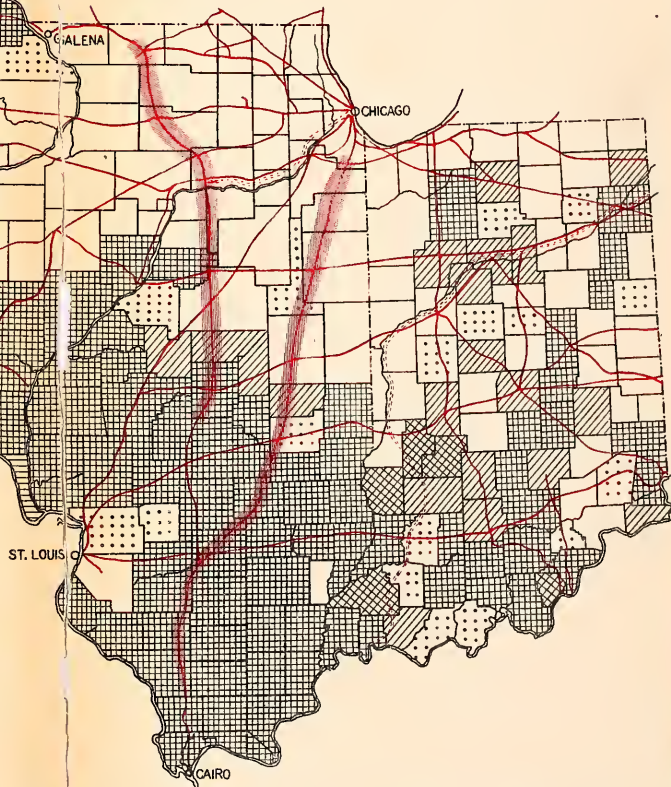
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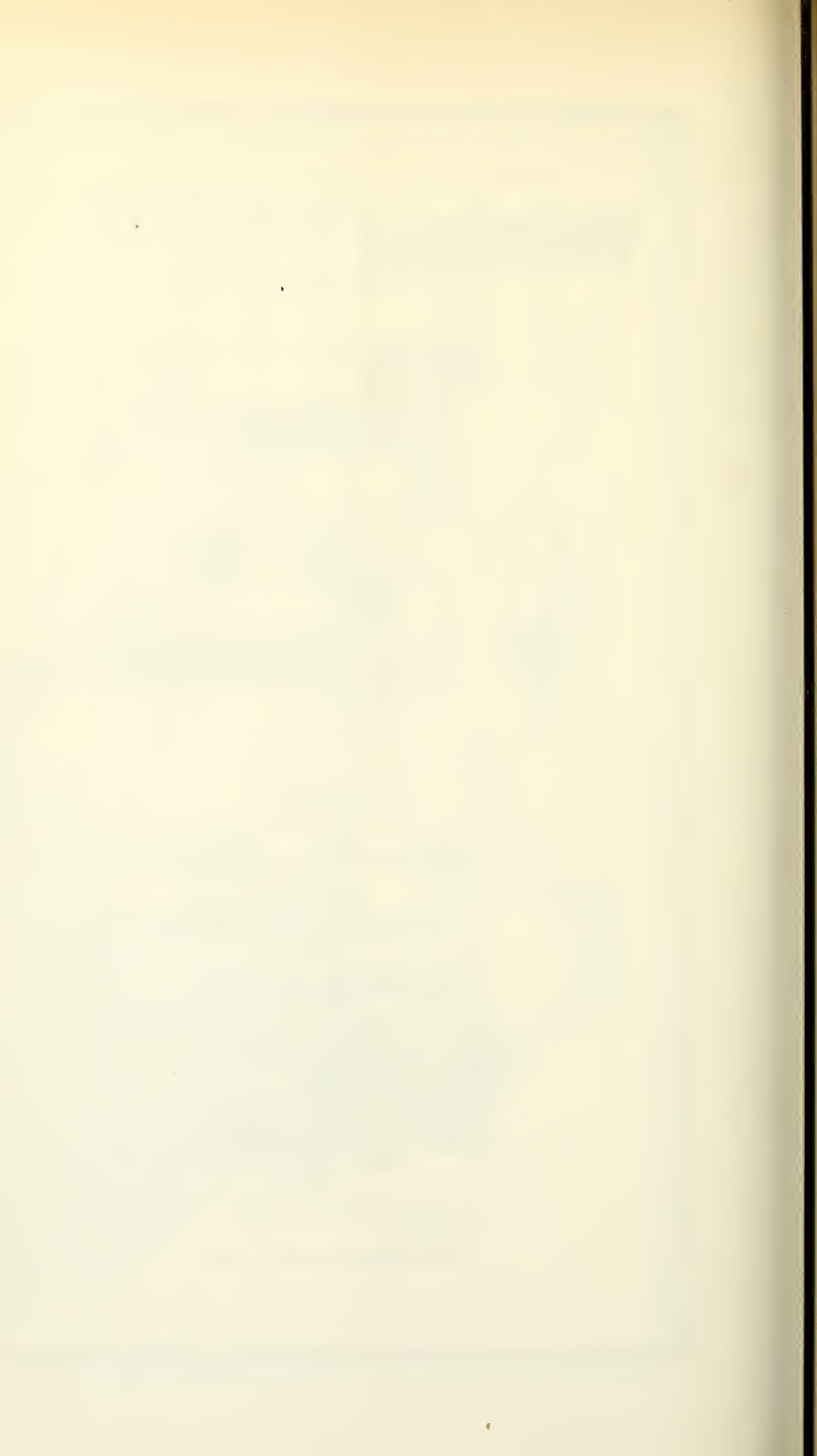
WILLIAM E. DODD.

<sup>57</sup> *Tribune Almanac*, 1860.

**MAP**  
 ILLUSTRATING THE  
**NATURE OF THE CONFLICT**  
 BETWEEN THE  
**NORTH AND THE SOUTH**  
 IN THE  
**NORTHWEST IN 1860.**

-  DEMOCRATIC, 1856, 1858, 1860
-  DEMOCRATIC, 1856, 1858
-  DEMOCRATIC, 1856
-  REPUBLICAN, 1856, 1858, 1860
-  REPUBLICAN, 1860, MARGIN OF 1 TO 3%  
 (BUT DEMOCRATIC, 1856)
-  "ILLINOIS CENTRAL" LANDS SOLD 1855-1859
-  CANALS
-  RAILROADS BUILT 1850-1860.





## DOCUMENTS

### *1. Senator Few on the Second Session of the First Congress, 1790.*

THE following letter, found by Dr. Edmund C. Burnett in Room 17 ("Overflow") of the Capitol building at Atlanta, Georgia, in a bundle marked "Letters, 1790-1838", needs little comment. Its writer, Colonel William Few, had been a member from Georgia in the Constitutional Convention of 1787, and was one of Georgia's first senators, serving in the Senate from March 4, 1789, to March 2, 1793.

NEW YORK August 17th 1790

*Dear Sir*

Congress has finished the business of the Session. We adjourned on Thursday last, after having passed forty eight Acts, which I imagine will, by this opportunity, be transmitted to you by the Secretary of State, whose duty it is. Some of them you will perceive are important and very interesting to the States and I am sorry to observe that those Acts which are of the highest importance were the most controverted, and are the least approved of. The Act for making provision for the National debt and assuming of the States Debts was more than six Months on its passage through Congress, and in its progress assumed various shapes, and was opposed on various principles. Some were for assuming of all the State Debts and funding of the whole National Debt at an annual Interest of six per cent—which would probably have swelled the Debt of the United States to more than 80 Millions of Dollars; and the yearly interest of this Debt it was contended the United States could pay with ease, if proper principles of taxation were established. Others were of opinion that policy forbid the United States involving of themselves in a greater debt than would be accumulated by funding of the Debt of the United States only at an Interest of four per cent, and some indeed were opposed to assuming, or funding on any principle. These clashing opinions were agitated in both Houses of Congress, until by a kind of compromise they produced the Act in its present form, with the assent of only a small majority of Congress. How far it will meet the approbation of the people of the States, a little time will discover.

Agreeable to this Act the Debt of the United States the ensuing year<sup>1</sup> will be 2,660,861 Dollars including the interest of the foreign Debt, and the Expenses of Government. This sum it is estimated can be raised from the duties on imports and tonage, but when the Interest becomes due on the assumed Debt, some other mode of taxation must unavoidably be adopted, and I find that some of our Statesmen are of opinion that it will be advisable to levy a direct tax either on the lands or poles of the Citizens; but the most prevailing opinion is that Congress will at their next Session pass a general Excise act and perhaps a Stamp Act. You see these measures all tend to a high toned Government, and it is easy to perceive that there are powerfull individuals that are Strenuous advocates for it, and I must confess to you, that I have my apprehensions that Congress will be disposed to run into that extreme; per-

<sup>1</sup> *I. e.*, probable annual charges.



haps it is a natural consequence after the feeble Government as we have had for sometime past; but I trust the minds of the Americans are sufficiently enlightened to investigate the principles of their Government, and clearly ascertain their invaluable rights, and timely pursue with firmness such Constitutional measures as will best secure them.

You will see that by the Act for Settling the amounts and claims of the different States against the United States, the Commissioners are vested with full powers to Judge and finally determine on the legality and equity of every claim, according to their understanding of the matter; and to ascertain on certain principles what may be due to, and from each of the States. And it also allows farther time for the States exhibiting accounts and evidence. I have no doubt but you will see the indispensable necessity of our States attending to this interesting business, otherwise we shall be loaded with an enormous debt when perhaps if timely exertions are made to collect and transmit the accounts and claims of every nature against the United States, with the best vouchers and evidence in support of them that the nature of the case will admit, we should on principles of Justice be entitled to receive a balance from the United States.

The enclosed paper contains the treaty of the United States with the Creek Indians,<sup>2</sup> and notwithstanding one of its objects was to secure peace to the State of Georgia I am apprehensive that the terms will be very offensive to the Citizens of that State; for it is too obvious, that the third and fourth Articles<sup>3</sup> are injurious and dishonourable to them. I will not here animadvert on the Constitutionality of, or the consequences that treaty may produce, but assure you that every possible exertion was made by the Senators of Georgia in every stage of the business to prevent its origin and adoption on those principles and on the question in Senate to consent and advise the President to ratify the Treaty we made every effort to have those two articles passed over in order to introduce an article to revise and explain them, so as to have secured our territory and a return of the property that has been taken by the Indians, and when that could not be effected we remonstrated in the most pointed terms against the Constitutionality, the Justice, and policy of the measure and have marked the questions with our negative. Genl. Jackson and Col. Gunn<sup>4</sup> are going on to Georgia and inform me they will both attend the Assembly at Augusta in Nov<sup>r</sup> next and to them I must refer you for further information relative to this negociation, and proceedings of Congress,

I am Dear Sir with much respect Your most  
Ob<sup>dt</sup> Hum<sup>l</sup> Serv<sup>t</sup>.

W FEW

[Address on wrapper:] His Excellency  
Edward Telfair Esqr  
Governor Georgia

[Endorsed:] Communication  
Hble William Few  
17<sup>th</sup> August  
Ordered to be filed  
16<sup>th</sup> Septem<sup>r</sup> 1790.

<sup>2</sup> Treaty of August 7, 1790.

<sup>3</sup> Respecting restoration of white and negro captives, and respecting boundaries.

<sup>4</sup> James Jackson, representative from Georgia in the First Congress, and James Gunn, Colonel Few's colleague as senator.

2. *Records of the Settlers at the Head of the French Broad River,  
1793-1803.*

IN one of the early issues of the REVIEW (II. 691-693) certain records of conventions or public meetings of an isolated settlement in southern Indiana in 1785 and 1787 were printed, as illustrative of the manner in which frontier American communities have spontaneously generated and maintained some sort of governmental organization, sufficient to suppress disorder and to protect the rights of their members. Other illustrations of the manner in which this process has been effected by communities outside the pale of regular government have been printed elsewhere.<sup>1</sup> The artless record printed below is still another monument of this tendency, having some interesting peculiarities due to the circumstances which seemed to place the community in question outside the jurisdiction of any formal government then existing. The paper was found by Dr. Edmund C. Burnett, filed with papers in the boundary case between Georgia and South Carolina, in the office of the Secretary of State at Atlanta. The date June 30, 1803, has been written at its beginning but is perhaps the date of presentation to Governor Milledge.

The settlers whose rudimentary records are here printed represent themselves as seated in a district south of the southern boundary of North Carolina and north of the line which marked the southward boundary of the cession made by South Carolina to the United States in 1787. The former line, it was well understood, should be the parallel of 35° north latitude. The latter was understood to run westward from the head of the north branch of the Tugaloo River. It had been so fixed in the agreement with Georgia made at Beaufort in 1787, and South Carolina's cession of that year to the United States had been understood to consist of the long strip extending westward to the Mississippi between these two lines, thought of as parallel lines some twelve miles apart. In reality the head of the north branch of Tugaloo River lies north of the true parallel of 35°. But that parallel, the southern boundary of North Carolina, was then understood to run some twelve miles farther north than it actually runs according to its true position.

These settlers on the head waters of the French Broad, dwelling in what is now Transylvania County, North Carolina, accordingly supposed themselves to be in the east part of the strip lately ceded by South Carolina to the United States, the eastern boundary of which was the top of "the ridge or chain of mountains which divides

<sup>1</sup> See Professor Turner's remarks in this REVIEW, I. 78.

the eastern from the western waters". Hence their belief that they were in no jurisdiction, and their attempt to organize for the protection of their interests.

The survey of November 14, 1797, alluded to in the entry under October, 1798, was that which, in accordance with the Cherokee treaty of July 2, 1791, was carried out in the late summer and autumn of 1797 by General Andrew Pickens as United States commissioner.<sup>2</sup> A letter of Pickens printed in the *American State Papers*<sup>3</sup> shows that he made the North Carolina boundary line run north of these settlers and the Indian boundary (of the Hopewell treaty of 1785) east of them. He reports the settlement to consist of forty or fifty families.

The entry under January, 1799, must be wrongly dated, by the mistake so frequently made in January, and should be January, 1800, for Captain Butler's survey, under the Tellico treaty of October 2, 1798, took place in the summer of 1799, as is shown by Pickens's letter just mentioned.<sup>4</sup> Captain Butler ran his line from the Great Iron Mountain considerably south of southeast, and quite to the west of the district in question. If his line had been accepted,<sup>5</sup> the settlers would have been on land purchased from the Indians. Their memorial of January 8, 1800, praying to be ceded to South Carolina, may be seen in the *American State Papers*,<sup>6</sup> signed by "Matthew Patterson and others". The committee to whom the memorial was referred by the House of Representatives reported in favor of such a cession,<sup>7</sup> but no action was taken.

The last entry in the document shows that the settlers supposed themselves to come within the terms of the agreement between the United States and Georgia of April 24, 1802, in which the United States ceded to Georgia all lands "lying within the United States, and out of the proper boundaries of any other state, and situated south of the southern boundaries of the states of Tennessee, North Carolina, and South Carolina, and east of the boundary line hereinbefore described as the eastern boundary of the territory ceded by Georgia to the United States". But when the southern boundary line of North Carolina received its final adjustment, these settlers must have been found to be within the boundaries of the latter state.

<sup>2</sup> *Fifth Annual Report of the Bureau of American Ethnology* (Washington, 1887), p. 168 (Royce's *The Cherokees*).

<sup>3</sup> *Public Lands*, I. 103-104.

<sup>4</sup> See also *Fifth Report of the Bureau of American Ethnology*, p. 181. All the lines of surveys are shown on the map accompanying this report.

<sup>5</sup> *Ibid.*, pp. 181-183.

<sup>6</sup> *Public Lands*, I. 104.

<sup>7</sup> *Ibid.*, I. 103.

June 30<sup>th</sup> 1803.

Head of French Broad river 1793 south of North Carolina and North of South Carolina seated<sup>8</sup> line to the united states. A meeting on other occasions whereas we are setting on land under the present circumstance no state can give us rights to it nor take us under jurisdiction untill general government shall put us in some State therefore we think it good for us to adapt some Rules of Civillisation As near agreeable to law as may Be as we belong Equally to Every state Resolved that we will not enter survey nor take out rights in any state untill general government shall impower some one state to give us grants that we will not Rent Leas nor purchases any such fraudulent titles from any other person what ever and that we will Do our Best indeavour to Defend general government.

Head of French Broad river at a meeting 1794 Whereas some of the Lore<sup>9</sup> order of Indians have Been in trading thair Baskets and have told us that this land we live on Belongs to them therefore we think it good to send a man to Enquire of the Cheifs for the truth of it and if so to ask leave to Continue our settlement untill the[y] sell it to Congress. The Result of the Indian Council is that we are their people and to Continue on the land.

At a meeting in 1795 Whereas it is known that the Indians have gave us liberty to Continue on the land Sundry Designing men from North Carolina have shown us grants for the land we live on which is Dated long Before our settling here which the[y] hed Obtained By fraud and faults return of survey from the state of North Carolina for Indian Land to which we Do hereby Resolve not to submit to But by Due Courts of law

1796 Whereas Congress have passed a law to Remove all white people of the Indian land<sup>10</sup> Be it Resolved that Reuben Allen Be and he is hereby appointed to go out and Call the Cheifs of as meny towns as he Can collect to geather in Council and Enquire if the[y] mean to Complain to the presedent a gainst us setlers. At a meeting after the Return of M<sup>r</sup> Allen with the result of the Indian Council which is that you must not Be turned of if you keep the pease and not hurt us when we come in to hunt But we Do not want any more to Come their But we setlers find By woful Experience that these land holders have Allready Brought five unjust and vexatious Suits a gainst us therefore we think it good for us to hire a mathimetition to show us whare the thirtyfifth Degree of North latitud will pass our settlement which is the south Boundery of North Carolina claimed By the Constition and public laws of that state which we trust will amount to a positive against these unjust Claims.

Head of French Broad river October 1798 at a general meeting Whereas of the fourteenth Day of November Last the Indian line was plainly ascertained and Distinctly marked round our settlement Which have put the nearest of us who Content against those fraudulent and unjust Claims about one mile and half on Iindian Land and as horse stealling has Been somuch Complained of in the ajessent states around us we think it good for us to appoint three men as Near on the Leading rodes through our setlement as may Be Mathew patterson Richard Williamson William Allen you are here By appointed to Exammin all

<sup>8</sup> Ceded.

<sup>9</sup> Lower.

<sup>10</sup> Act of May 19, 1796, sect. 5. *U. S. Statutes at Large*, I. 470.



travellers as well those that attempt to settle as those that pas through aspicily<sup>11</sup> those that Enquire the way to fains and if the Do not support a reasonable carecter to take them Back the way the Come to the first justice for funder Examination acording to Law and hinder if possible any more from settling here in open violation of the Law of the united States

Janeary 1799 [1800] Whareas the Indian line was run above our settlement By Captain Butler Last Summer we have some hope that the Land is purchased on which we have settled therefore we think it good to petition to Congress to annex us to some one state and as we are in the antient Limits of South Carolina we wish to be Reseated<sup>12</sup> Back to that state.

October 1802 Whareas we find that Congress hes seaded us to the State of Geaorgia therefore we think it good to petition the Generel Assembly of this State to Do to and for us as in their Wisdom think Best.

Richard Williamson

Ruben Allen

William Allen

George Welleimson?

Samuel deves Son William Son

James Williamson

James Allene

James Allen

Robert Lee

Joseph Beezley

[Addressed:] State of Geaorgia

Jeffeson County Lewesvilly<sup>13</sup>

To his Excellency the Governor John Milledge.

Mathew Patterson

Benjamin Olliver

peter Oens

John pendergrass

George Glesnar

### 3. *The First American Discoveries in the Antarctic, 1819.*

THE South Shetland islands were first discovered by Dirk Geritsz in 1598. In 1819 they were rediscovered by an Englishman, William Smith of Blyth. On February 19 and 20, while sailing from Montevideo to Valparaiso, he saw land there. On October 15 of the same year, while again sailing from Montevideo to Valparaiso, he saw the land in lat. 62° 30' S., long. 60° W., and landed a party which planted the Union jack and took possession for Great Britain.<sup>1</sup> For an independent discovery by Americans a few months later, the only authority hitherto seems to have been Edmund Fanning, who in his *Voyages around the World* (New York, 1833)<sup>2</sup> states that the *Hersilia* of Stonington, Connecticut, Captain James P. Sheffield, visited the islands in February, 1820, and began there

<sup>11</sup> Especially.

<sup>12</sup> Receded or retroceded.

<sup>13</sup> Louisville in Jefferson County was then the capital of Georgia.

<sup>1</sup> The authoritative account is in the *Edinburgh Philosophical Journal*, III. 367-380.

<sup>2</sup> P. 430.

the American seal-fisheries which proved so immensely profitable but resulted early in the extermination of the seals. The following letters, to which the managing editor's attention was directed by Professor James M. Callahan, cast further light on the American discovery.

James Byers of New York, the writer of the first letter here printed, was a ship-owner, originally of Springfield, Massachusetts.<sup>3</sup> His letter is preserved in the Department of State at Washington, Bureau of Indexes and Archives, in Miscellaneous Letters, vol. 77. General Daniel Parker, to whom it was addressed, was at the time adjutant-general and inspector-general of the United States army. The enclosed letter of Captain Fanning is not found. Other letters of Mr. Byers, near by in the same volume, show that the Stonington vessel reached the islands in December, 1819, coming from the Atlantic Ocean and South Georgia, so that knowledge of Smith's discovery is out of the question, and the American discovery rested, as Fanning states, on a reading of Dirk Gerritsz. These letters also show that Byers had promptly sent other vessels, which he hoped would arrive at these rich hunting-grounds in October, 1820.

The second letter, written by Secretary Adams to President Monroe, then at his country estate in Virginia, is found in its chronological place among the Monroe Papers at the Library of Congress. The letter of Byers which was enclosed in it is probably not the same as that here given, and seems not to be extant. The same is true of Jeremy Robinson's letter of November 15, 1819, from Valparaiso, though it is noted as having been received at the Department on August 19, 1820. Its absence is to be the more regretted, if it contained any information obtained from officers or crew of Captain William Smith's ship, which made its second arrival at Valparaiso in November.<sup>4</sup> A letter from Robinson to Dr. Samuel L. Mitchell of New York, dated Valparaiso, January 23, 1820, telling of Smith's discovery in some detail, is printed in Niles's *Register*, XIX. 43. Niles, in the heading, says of the new island or continent, "It is said, however, to have been discovered some years since by some American whalers, and the knowledge concealed for mercantile purposes". There are further references to the matter at pp. 65 and 112 of the same volume.

President Monroe's reply to Adams, dated Highland, September 1, 1820, is found among the papers of John Quincy Adams. The pertinent paragraph, printed below, is contributed through the kindness of Mr. Charles Francis Adams and Mr. Worthington C. Ford.

<sup>3</sup> Fanning, p. 419.

<sup>4</sup> *Edinburgh Philosophical Journal*, III. 373.

Its phrases would lead one to expect that the missing letter of Robinson might be found in the archives of the Navy Department. But a search kindly ordered by the chief of those archives, Mr. Charles W. Stewart, has brought to light no such letter.

I. JAMES BYERS TO GENERAL PARKER.

NEW YORK 25 Aug<sup>t</sup> 1820.

Dear Sir,

I have just rec<sup>d</sup> your fav<sup>r</sup> and can assure you it affords me great pleasure to learn that Gov<sup>t</sup> is disposed to give the subject of the new Discovery a serious investigation. It is quite fashionable you know, among a certain class of citizens, to accuse our Administration of lukewarmness in regard to the Mercantile interest. But not being of that number, I wrote you as I did, in great confidence that Gov<sup>t</sup> would be disposed to grant all proper protection. Since the receipt of your Letter, I have learned that the Secretary of the Navy is absent from the City on a visit to the North. I am sorry I could not see him, for I am quite confident I could satisfy him that the object is worthy the attention of Gov<sup>t</sup>.

The first information I ever received respecting the new Discovery was from a Capt Sheffield who arrived at Stoneington last spring, from the new Islands. As soon as he reached this Country he wrote me a Letter informing me of his success and offering to out again in my employ. He had formerly been in my service and I knew him to be worthy of all confidence. In order to obtain correct information, I authorized Mr. Walter Nexsen, a respectable Mercht and also a partner in my Sealing enterprises, to go to Stonington and have an interview with Capt. S. Mr. Nexsen obtained the following particulars, from his Log Book.

The great New Island or Continent is in Lat. 61: 10 S., Long. 57: 15 W. Coasted about 50 Miles—saw no end South W. Returned to what he thought the S. W. end, and came to Anchor between a number of Islands, a short distance from the Mainland. He found pretty good Anchorage in 15 Fathom Water. On one of these Islands he took 9,000 fur Seal in 15 days. He had no more Salt or could [have] killed any number. He says he saw at one view 300,000 Seal. He thinks the Country is uninhabited and destitute of Wood. Water plenty and good. The Land runs about N<sup>o</sup> East and S<sup>t</sup> West. In addition to the above, I have learned from other sources of the existence of these Islands, and all nearly agree in L<sup>t</sup> and Long. Capt Fanning late of the Spartan mentions the subject in the Letter enclosed. It is considered by everyone that the fact is fully established and it would afford great satisfaction to every American if our Government was the first to survey and name the new World. I should at first have written Mr. Adams on this subject, but being unknown to him I thought it best to make the Communication through you, thinking, that your very respectable station under Government would perhaps arrest the attention of the proper Dept. with greater effect than any representation from an unknown individual.

I am with respect  
Sir your Ob<sup>t</sup>  
St  
JAMES BYERS.

P. S. The British first took possession of South Georgia Island, from which they have taken great numbers of Seal and much Sea Eliphiant Oil. They would never suffer Americans to Seal there, as they claim the Islands as belonging to Great Britain.

[Addressed:] General Parker, Washington.

II. J. Q. ADAMS TO MONROE.

WASHINGTON 26 Augt. 1820.

Dear Sir,

The enclosed Letter, from J. Byers of New York to General Parker was delivered to me by that officer and relates to a subject of very considerable importance. To give you a more perfect understanding of its contents I enclose with it a Letter of 15. November 1819 from Jeremy Robinson of Valparaiso. General Parker says that more than twenty Vessels have been fitted out from New York, and have sailed or are about to sail upon Sealing and Whaling Voyages to this newly discovered Island or Continent. Byers says they will be on the spot before the English, but whether they can reach Latitude 61. 40. South in October which answers to our April is to be seen. I much doubt it.

If they do, and the English adventurers come there afterwards, we shall hear more of it. Nootka Sound, Falkland Island questions may be expected. I beg leave to recommend the affair to your particular consideration. The British Government just now have their hands so full of Coronations and Adulteries, Liturgy, prayers and Italian Sopranos, Bergamis and Pergamis, High Treasons and Petty Treasons, Pains, Penalties and Paupers,<sup>5</sup> that they will seize the first opportunity they can to shake them all off, and if they can make a question of national honour about a foot-hold in Latitude 61. 40. upon something between Rock and Ice-berg, as this discovery must be, and especially a question with us, they will not let it escape them.

I desired General Parker to advise Mr. Byers to see the Secretary of the Navy, and confer with him about this project of a settlement and sending a Frigate *to take possession*. I hope this plan will meet your approbation. There can be no doubt of the right, and the Settlement is a very good expedient for protecting the real objects, to catch Seals and Whales. The idea too of having a grave controversy with Lord Castlereagh, about an Island Latitude 61. 40. South, is quite fascinating.

I send also another Letter from Jeremy Robinson of 17. January 1820, very long and interesting. This man has given us so much valuable information, and sees things with so much more impartiality, and therefore accuracy, than some others who have been there, that I almost wish you would forget his indiscretion by which he forfeited the commission he had obtained, and restore him to some subordinate agency. I shall have a translation made of the Long Letter from the Director O'Higgins to you which was forwarded through Robinson, and to which I suppose the Director will expect an answer, verbal or written.

With perfect Respect, I remain, Dear Sir,

faithfully yours

JOHN QUINCY ADAMS.

<sup>5</sup> Allusions to the trial of Queen Caroline, etc.



## III. PRESIDENT MONROE TO SECRETARY ADAMS (EXTRACT).

September 1, 1820.

The discovery of land in the Pacific, of great extent, is an important event, and there are strong reasons in favor of your suggestion to aim at the occupancy on our part. Communicate the documents to the Secretary of the Navy, and suggest the motive, asking how far it would be practicable to send a frigate there, and thence to strengthen our force along the American coast. I shall also write him on the subject. . . .

## REVIEWS OF BOOKS

### BOOKS OF ANCIENT HISTORY

*A Roman Frontier Post and its People: the Fort of Newstead in the Parish of Melrose.* By JAMES CURLE, F. S. A. Scot., F.S.A. (Glasgow: James MacLehose and Sons. 1911. Pp. xix, 431.)

MR. JAMES CURLE, distinguished already for his brilliant conduct of the excavations at Newstead, 1905-1910, has now produced an altogether splendid volume on the subject. It is not necessary to comment on the excavations themselves which have drawn so old a secret from the romantic ground of Melrose and Eildon. The book fully justifies the labor and money spent. Everywhere (*e. g.*, p. 105) peeps out the cunning of the experienced excavator as well as the all-round equipment of antiquarian and ethnologist.

His method is intensive and extensive at once. Every item is minutely scanned and its importance in any direction seized and fully discussed; at the same time the author is always making use (*e. g.*, p. 168) of his really immense information on the German *Limes*, the African and Asiatic forts, the Roman military system in general, the history of the ancient pottery industry, the Roman and Celtic economic life, medieval documents, etc., to make his book a monument of comparative study. It is a glorified form of report. Constantly he "*paulo maiora canit*". He provides even the general reader with a plain account profusely illustrated of a chapter in Roman camp-life, interesting in its individuality. His intimate acquaintance with museums at home and abroad and with museum work perhaps contributes to the orderliness and lucid completeness of the book. The co-operation of experts in geology, botany, zoology, anatomy, and numismatics has been utilized. Mr. Curle is imbued with strict historical and scientific principles, not captured by the Sirens which lure men to rebuild lost plays of Sophocles or restore inscriptions from a few doubtful letters. His book is an example in sane and orderly method.

Chapter I. treats of the site of the fort on the Tweed and of the great legionary camp, probably Agricola's, traces of which were found adjoining the fort. In chapters II.-V. the fort itself, its walls, ditches, buildings, drains, and streets are discussed. As to size, it is the largest Roman fort yet excavated in Scotland and ranks like some German *castella* between the cohortian and the legionary. It seems to have been made over two or three times and held in four or five occupations or periods of occupation; the writer is not particularly clear on this point.

Chapter VI. takes up the Annexes, the west one containing the Bath which Mr. Curle describes in a fashion entertaining to the most general reader. The Newstead Bath was unique in being surrounded by a rampart apparently for defense, a testimony to the perils besetting continually this advanced outpost. Chapters VII.-XVI. tell of the contents of the numerous pits or wells, about 130 altogether, filled with rubbish and articles hurriedly hidden, almost all of them in the Annexes. In these a black mould seems to have acted as a preservative to leather and basket-work and the glaze of fine pottery, and the brass retains its golden hue. Skulls and shoes prove the presence of women and children in the Annexes. The finds of armor are second only to those of Carnuntum in number, rarity, and importance.

On page 169 there is an interesting detail study in the evolution of dress. The discussion of the beautiful visor-helmets and their use is lucid and convincing. But perhaps the most remarkable part of the work is the study of the pottery. Some exquisite specimens of *terra sigillata* are shown in their color. Glass was used for the windows and vessels of the fortress. In brief space it is difficult to convey an impression of the whole rich find and of Mr. Curle's lucid and modest exposition. Chapter XVII. sums up cautiously the probable history of "Trimontium".

Not only the learned author, but the publishers and the Society of Antiquaries of Scotland under whose auspices the excavations have been carried to success, are to be congratulated on this massive and unrivalled book. Perhaps to the 1300 plans and plates might have been added a good map of Roman Britain for ready reference to places like Ardoch and Inchtuthill by the general student of classical history, who no less than the specialist in British antiquities may be attracted by such a work. The index is good.

W. F. TAMBLYN.

#### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Annals of the Reigns of Malcolm and William, Kings of Scotland, A.D. 1153-1214.* Collected, with notes and an index, by Sir ARCHIBALD CAMPBELL LAWRIE, LL.D. (Glasgow: James MacLehose and Sons. 1910. Pp. xxxvi, 459.)

So meagre is the material for Scottish history before 1286 that it would seem almost hopeless to provide anything like *Jahrbücher* for that period. Still Lord Hailes did something of the sort, and quite recently Mr. Anderson has dealt with the period from 500 to 1286. Now Sir Archibald Lawrie, whose *Early Scottish Charters* the REVIEW noticed not long ago, offers a series of extracts covering sixty-odd years and two reigns only. The work has been patiently and carefully done, but the result, in proportion to the labor and pains that have gone to produce it, must be regarded as rather disappointing. The only contem-

porary chronicles available are those of Melrose and Holyrood, meagre enough in themselves and only very cautiously to be extended from Fordun and Wyntoun. In these circumstances the greater part of the material has to be derived from English writers, chiefly Hoveden, the *Gesta Henrici Secundi*, William of Newburgh and Jordan Fantosme. These are of course first-rate authorities, and the fact that they are now all available in excellent editions is no disparagement to Sir Archibald Lawrie's work. The difficulty lies in the fact that to illustrate Scottish history chiefly from English writers is, to a certain extent, to falsify or distort that history.

The development of the Scottish nation was accomplished, as in the other countries of Western Europe, by the formation of a royal government. But there were certain differentiae in the growth of Scottish royalty which if they hampered and even offered to check that growth were in themselves particularly interesting. Among these were the geographical and racial division between the highlands and lowlands and the corresponding difference in social structure, appearing in relatively unrestrained feudalism among the Normanized Teutonic population of the lowlands and the strong tribal survivals among the Keltic people of the northwest. This situation was further complicated by the presence of a Scandinavian element on the western coast. Clearly the strength of the crown lay in the southeast, and, it will be remembered, there was still good hope of a considerable extension of the kingdom southward. But here, although the border was not definitely settled, there was the vigorous and rapidly developing Angevin monarchy to be reckoned with. Finally, the Scottish crown could and did rely upon the Church.

Now of all these matters only the relations of Scotland to England and of the Scottish Church to the northern province of England and to the papacy, can receive anything like adequate illustration from English writers. For these reasons the present work, interesting and valuable as it is, must be regarded as disappointing and in a sense misleading.

This criticism is, however, no disparagement of the work of the painstaking scholar who has made the compilation. Indeed Sir Archibald Lawrie has quite clearly recognized and expressed the disadvantages under which he labored.

One is glad to have the document (no. LII.) relating to persons accused of theft made easily available for comparison with the assizes of Clarendon and Northampton, from which it shows an interesting variation. If, besides the accusation by the reeve and three lawful men of the vill, the testimony *trium hominum seniorum* can be had, the accused person is to be hanged without further to do. One wonders whether there is not perhaps some tribal influence to be discerned here?

Some points suggest themselves for criticism. One is surprised to find that on the vexed question of the Scottish homages Sir Archibald refers only to Palgrave and Miss Norgate. Dr. Wyckoff's Chicago dissertation may well be unknown in Scotland, but it seems impossible



that Sir James Ramsay's full and temperate treatment of the subject should be. The citations from Stubbs to illustrate the problem of scutage (p. 42) are unfortunate, and in view of the following quotation from McKechnie, superfluous; reference to Round, Maitland, and Baldwin would have been more to the point. In his use of proper names Sir Archibald shows an irritating disregard alike of ordinary usage and self-consistency—thus he uses Roncaille and Roncaglia, Gaurid and Geoffrey, Waldeve and Waltheof indifferently, and surely it is rather late in the day to be writing of Benedictus Abbas and Matthew of Westminster. Misprints, not of a very serious character, occur on pp. 16, 32, 33, 95, 109, 138, 302; on p. 21, line 18, *nostri protectionis* should probably be *nostra protectione*; on p. 232, line 20, an *eo* seems to be wanted, and on p. 249, for Julius, read Lucius.

There is a copious index and the book is well printed on light paper that makes it pleasant to hold.

GAILLARD THOMAS LAPSLEY.

*Types of Manorial Structure in the Northern Danelaw.* By F. M. STENTON. *Customary Rents.* By N. NEILSON. [Oxford Studies in Social and Legal History, edited by Professor PAUL VINOGRADOFF, volume II.] (Oxford: Clarendon Press. 1910. Pp. iv, 96; 219.)

THE two papers included in this second volume of the scholarly series edited by Professor Vinogradoff refer to a period that lies midway between the two essays in the earlier volume. One of those papers concerned itself with the later Roman Empire, the other with the eve of the Reformation. These belong in the Middle Ages proper. They are on closely allied topics. Although one purports to be a description of certain types of rural organization in northern England, the other an explanation of various customary rents paid by tenants, they reduce themselves alike to studies in the terminology used in the records of medieval manors.

Such studies are very laborious to the writer, but most useful to other students. They require minute and prolonged investigation, skill in analysis and comparison, and a sustained enthusiasm to carry through what must at best be a meagrely rewarded task. And yet such accurate studies lie at the basis of all subsequent constructive work, if the work is to be solidly founded. It was the great distinction of the late Professor Maitland that he performed both functions with equal effectiveness. It can hardly be considered derogatory to Mr. Stenton to say that he does not show a skill in presentation or a power of imagination that gives his work great constructive value, and that it must be estimated on the basis of its contribution to our knowledge of detailed facts.

The "Danelaw" to which he refers is the six modern counties of York, Lincoln, Nottingham, Derby, Leicester, and Rutland. In this region the author makes a careful study of the meaning and connotations of the terms, "berewick" and "soke", as used in Domesday and

other early documents, and finds marked differences from the social conditions characteristic of other parts of England. The classes of men and their duties, as described in the *Rectitudines*, for instance, which probably refers to southern England, bear no real or close correspondence to what is found in the Danelaw. The second part of Mr. Stenton's essay is devoted more particularly to the meaning of the word "manor" itself as used in his district, or in varying senses in different parts of his district, and there is much of suggestive interest in his analysis, though it can hardly be even summarized here. In their bearing on the greater problems of early English history, Mr. Stenton's researches seem, to the reviewer at least, clearly to look toward the greater rather than the less freedom of the peasantry in earlier times; and to minimize the influence of the Norman conquest, except as it hastened and somewhat modified changes already in progress.

No living student probably is better fitted to compile a glossary of manorial terms such as forms the second paper in this volume than Miss Neilson. Her former studies of the manors of Ramsey Abbey, and others, were marked by insight and power of comparison, as well as tireless industry, and this enumeration of various kinds of customary "rents" paid by medieval manorial tenants shows the same qualities, and is drawn from an astonishingly large group of sources, printed and manuscript. The word "rents" as applied to these varied payments, however convenient, seems to us unwise. The modern suggestion of that word is entirely different, laying stress rather on simplicity than on diversity of payment; nor as a medieval term has it that recognized technical meaning. The almost infinite variety of manorial payments cannot, as this essay proves, be simplified by applying a single name to them. Apart from this general name, however, we have in this list the first extended, inclusive, and authoritative classification and definition of these terms, and it will be of the greatest service in manorial study. Some six or seven hundred such terms are defined, or at least discussed. Many of these innumerable forms of "silver", "penny", "gavel", "Scot", "bote", and "geld" are doubtless the same payments under different names, but even with this deduction their number and variety are striking. Miss Neilson, in addition to defining them as far as possible as they are used in contemporary documents, has introduced some degree of simplicity into the mass by classifying them according to their origin, as payments made primarily to the landlord, to the king and the Church, and subordinately to this, according as they arose from the agricultural duties, the servile status, the duties of purveyance, church responsibility, piety, contract, or other source. As a result there are few aspects of the life of a medieval peasant that do not come under review as a result of this enumeration.

E. P. CHEYNEY.

*The Frankfort Book Fair: the Francofordiense Emporium of Henri Estienne.* Edited, with historical introduction, original Latin text with English translation on opposite pages, and notes, by JAMES WESTFALL THOMPSON. (Chicago: The Caxton Club. 1911. Pp. xviii, 204.)

A SUMPTUOUS book this and a handsome, with its handmade paper, its bold humanistic type, its wealth of illustration from the masterpieces of sixteenth-century engraving. Nor could the Caxton Club of Chicago well have hit on a theme more seductive to book-lovers than the story of the great fair which for almost two centuries was the central book-mart of Christendom.

The booklet which forms a text for the volume has, indeed, as its editor frankly recognizes, no very serious historical worth. The great Genevan publisher's tribute to the capital of publishing is of the genus *Laudatio*, and belongs to the history of literature more than to the literature of history. What it really tells about the Frankfort fair could be put into a page. It was waste of labor to run down in the cyclopedias all its rhetorical allusions. The real account of the fair—filling, and deservedly, two-thirds of the volume—is the historical introduction of Professor Thompson. Beginning with the very invention of printing, this traces the whole course of the German book-trade and of Frankfort's part in it from its rise in the fifteenth century to the transfer of headship from Frankfort to Leipzig in the late seventeenth. It is almost precisely the period covered by the two published volumes of the great official history of the German book-trade; and it is on the solid basis of these researches of Kapp and Goldfriedrich that Dr. Thompson's study mainly rests. But his industry has laid under tribute a multitude of other sources, and to excellent purpose.

With all his industry, his work, alas, shows many marks of haste. Misprints are not few, and especially in proper names. Repetitions abound, and the repetition is not always faithful. Thus, on page 29, we are told, in two successive sentences, that the fairs of Leipzig and Augsburg had catalogues by 1580 and that the one had its first catalogue in 1595, the other in 1598. A few slips are more serious. Reuchlin was of course not the author of the *Epistolae Obscurorum Virorum*, nor Duke George of Saxony an elector. Frankfort's woman publisher, the widow of Jonas Rosa, would hardly recognize herself as "Rosa, widow of Jona". George Willer is made the author, now of "the first catalogue of books for sale at a fair", now of "the first trade list of books appearing at all the fairs"; and both are ascribed to 1564. What Willer published in 1564 was a catalogue of his own stock, old as well as new; and the "first catalogue of all the fairs"—*i. e.*, of all the Frankfort fairs from 1564 to 1592—was the work of Nicolaus Basse (or Bassaeus—Professor Thompson writes "Baseus"), though compiled from Willer's lists. That Christian Wechel was condemned by the Sorbonne and driven from Paris is no longer believed; it was only his

son Andreas who came to Frankfort. Thomas Platter nowhere lauds the Frankfort fair; and it was not in Herwagen's service that he visited it—though he managed Herwagen's business at Basel, while Herwagen went. Feyerabend, the greatest of Frankfort printers, should hardly have been mentioned without citation of Pallmann's monograph; and we should have been told where the much quoted "Marckschiff" can be found. The "Mess-Memorial" of Michael Harder, from which a page is printed in facsimile, is not a catalogue, but an account-book; and the "list of book titles in Michel Harder's catalogue" which is here reprinted in full is not, as might be inferred, a part of that "Mess-Memorial", but compiled by its modern editors to explain it.

Vexatious as are such oversights in such a book, they cannot seriously mar the solid worth of its narrative; and so chattily, so sensibly, with so catching a love of books and their makers, is the story told that all else will gladly be pardoned it.

*Le Concordat de 1516: Ses Origines, son Histoire au XVI<sup>e</sup> Siècle.*

Par l'Abbé JULES THOMAS, Chanoine Honoraire. In three parts. (Paris: Alphonse Picard et Fils. 1910. Pp. xii, 448; 415; 479.)

EACH of these three volumes covers a definite field in the history of the Concordat of 1516. Part I. deals with the origin of the Concordat; part II. with its application; part III. with the subsequent history of the instrument down to 1589. The work is printed with the *imprimatur* of the Bishop of Dijon. The subject was originally proposed by the Académie des Sciences Morales et Politiques, in 1905, but it may be doubted if the French government, in the light of the recent dissolution of the Concordat of 1801, approves of the author's findings.

The work is an advanced expression of modern Catholic reactionism. Its medievalism is startling. The Abbé Thomas assumes the position of St. Thomas Aquinas and that whosoever may have added to or taken from the words of the great Dominican thwarts the divine legation of the Church. In part I., pages 9-28, a series of theses are set up which remind one of the schoolmen, in sustaining which the author "quotes Scripture for his purpose", besides encyclicals of Gregory XVI., Pius IX., and Leo XIII., a letter of Pope Gelasius (492-496), one of Osius, bishop of Cordova, to Constantine, treatises of Geoffrey of Vendome and Yves of Chartres, findings of the councils of Orleans in 511 and of Macon in 585, and the Code of Gratian.

"La société civile n'est point née d'un contrat social ni des suffrages d'un peuple. Elle est issue de la nature même de l'homme, en qui Dieu a imprimé l'instinct de s'associer à ses semblables et le désir de la vie commune. . . . À ce point de vue, le contrat social et les suffrages du peuple, tant vantés par Rousseau, ne sont que des pétitions de principe. . . . La société civile est confinée tout entière dans les limites de l'ordre naturel. . . . Tout autre apparaît la société religieuse. . . . Elle use des biens de l'ordre naturel, mais pour y ajouter ceux d'un ordre supérieur,



celui de la grâce." These are words in which the voice of Boniface VIII. in *Unam Sanctam* seems to sound like an alien echo. There is "une royauté spirituelle"—the Church, and "une autre royauté"—the State. "L'ancienne tradition s'affirme sur ce sujet d'une manière unanime. Au Moyen Age, la doctrine est la même et nous en entendons plus loin les échos. Les papes modernes s'expriment avec autant de netteté devant les gouvernements."

The doctrine of the separation of Church and State is "des opinions fausses et perverses"; Leo XIII.'s declaration that "it is an absurd theory" is endorsed.

It is a relief to pass from this medieval atmosphere into a genuine historical chapter upon the Concordat as an institution and a discussion of the sources. The author has well-nigh exhausted the archive collections of Paris, the Vatican, Venice, Modena, and Florence, the Florentine sources being especially valuable. The remainder of part I. is a detailed study of the relations of France and the Holy See from Philip IV. to Francis I. The volume concludes with eighteen unpublished documents. In general it may be said that while the author so far has added nothing new of importance, much of the detail is new.

Part II. is purely institutional. It deals with church nominations, reserves, collations, ecclesiastical causes, appeals, canonical censure, and the morality of the clergy. Historically this portion is of real value; the actual working of the Concordat is shown. Fortunately there is little room for the author to assert medieval theories, but the foreword gives protection—*salva auctoritate ecclesiae*.

"Les rapports de l'Église et de l'État sont plus que jamais à l'ordre du jour. La manière dont la question fut résolue au XVI<sup>e</sup> siècle n'est pas sans intérêt pour le XX<sup>e</sup>. La face des choses a changé; mais les principes sont restés les mêmes, parce qu'ils planent au-dessus de toutes les contingences."

The third part has to deal with the history of the Concordat from its signature to the end of the Valois dynasty. The medieval viewpoint remains the same. The author regrets the dependence of the State upon the Church required in the agreement of Boulogne, and that the Church became "concordataire" in the sixteenth century, but finds consolation in the reflection that government support during the Reformation was needful. This last volume is much less fully annotated, and seems to be based largely upon secondary material. Chapter v., dealing with the States General of 1560, is particularly weak. Neither the works of the Chancellor L'Hôpital nor Isambert's *Collection des Lois* has been used; antiquated historians of the States General are cited and modern literature entirely ignored.

To sum up: The value of these three volumes consists chiefly in the wealth of new documents printed as *pièces justificatives*. The point of view is so medieval and the treatment of the subject so *ex parte* that their historical value is invalidated throughout. It remains for some

future scholar to use in a scientific manner the documents here brought to light.

J. W. T.

*England und die Katholische Kirche unter Elisabeth und den Stuarts.*

VON ARNOLD OSKAR MEYER. Erster Band. *England und die Katholische Kirche unter Elisabeth.* [Bibliothek des Kgl. Preussischen Historischen Instituts in Rom. Band VI.] (Rome: Loescher and Company. 1911. Pp. xxvii, 489.)

THIS stately volume by a former member of the Royal Prussian Historical Institute in Rome, now a professor in Rostock, is a noteworthy contribution to the right understanding of an involved and disputed period of English history. The author has not only laid under contribution the archives of Rome, especially the treasures of the Vatican, but has made extensive use of unpublished material in Great Britain, and has enjoyed the assistance and advice of the leading specialists in this field. The result is a significant addition to our means of comprehending the relations of the English Catholics with the Elizabethan government, and with the papacy, Spain, and their exiled compatriots on the Continent.

No question has been more controverted than the proportion of Roman Catholics to the general population of England under Elizabeth. Dr. Meyer subjects the problem to careful consideration and reaches the apparently conclusive result that the Roman adhesion, by 1580, was not more than 2.6 to 3 per cent. of the total population of the kingdom, and that, while it undoubtedly increased, its growth to 1680 was not more than proportionate to the general augmentation of the population. Elizabeth's success was made possible only by the smallness of the Catholic minority. The great falling away from the Roman obedience was in the first years of Elizabeth. The collapse of the ancient hierarchy, the attractiveness of services in the mother-tongue, the popularity of the strong and peaceful early reign of Elizabeth, and especially the total neglect of the spiritual interests of the Roman Catholics by the pope and their Continental fellow-believers till after the Bull of Deposition and the beginnings of the English mission, swept the bulk of the population into the Anglican communion. This process was assisted, Dr. Meyer holds, by the very important modification of the title of supremacy assumed by Elizabeth as compared with that worn by Henry VIII.—a difference the significance of which he believes to have been inadequately estimated. This great religious readjustment was not primarily the effect of legal pressure.

When at last Catholic zeal, especially that of England's own sons, undertook to regain the land through seminary priests, and later through Jesuits, a chapter was written which Dr. Meyer, Protestant though he is, shows to be one of the most heroic in missionary story. For the Roman missionaries as a whole the charge that they were conspirators

or deceitful when brought face to face with the government is false. There were conspirators enough on the Continent, but most of those who risked their lives in England were simply and honestly actuated by spiritual aims. Yet, even so, the situation was tragic in its impossibility of adjustment. The "bloody question", whether, in case of invasion, the missionary would hold to the party of the queen or that of the pope, was one which the government could hardly fail to put, the more so that the missionary priest was the adviser of the Catholic laity, and to give either answer was, to most missionaries, to risk soul or body. The persecutions under Elizabeth, cruel as they were, were marked by a statesmanlike policy absent from those of Mary and from those of contemporary Continental sovereigns, and by a relatively small number of victims.

The author shows, as has never been so conclusively exhibited before, that plots to murder Elizabeth, though not originating with the pope, had the full sympathy and moral support of Gregory XIII. His account of the Armada is valuable, but here he is on more familiar ground. Its defeat he ascribes justly to the skill of the English seamen and their new naval tactics. Lastly he sketches with great insight the quarrels in the ranks of the English Catholics themselves between the secular priesthood and the Jesuits, and the diverse policies, national and religious, pursued by the rival factions. The value of the volume is increased by a large appendix of hitherto unpublished documents, and a chronological list of manuscript sources, chiefly in Rome, with indication where they may be found. The two further volumes, in which the author proposes to continue his studies to 1689, will be awaited with anticipation.

WILLISTON WALKER.

*The Reconstruction of the English Church.* By ROLAND G. USHER, Ph.D., Instructor in History, Washington University. In two volumes. (New York: D. Appleton and Company. 1910. Pp. ix, 423; vi, 426.)

As in political, so in church history, it used to be the earlier part of Queen Elizabeth's reign which attracted the special interest of researchers. Father H. N. Birt has only recently reminded us that "the Elizabethan *religious* settlement" continues to be a fighting ground for Protestant and Catholic historians. Mr. Usher may claim the merit of drawing our attention to the less conspicuous problems of the *constitutional* settlement of the Church. He holds that the constitutional question was not seriously grappled with before the times of the great reorganizer, Archbishop Bancroft, the hero of his book. "Few things are more difficult for us to comprehend, who have been brought up to believe that the English Church was established in its present form by Elizabeth, than the great scope of the reconstruction of 1604" (I. 357). If his thesis is provable at all, Mr. Usher certainly is the man to do it

and to introduce a new reading into our ideas of English church history. His researches are solid, extensive, and critical. He has made use of unprinted materials—part of which are published as appendices to the second volume—to a much greater extent than other students in this section of church history. With all his minuteness, however, he never loses himself in mere detail, always combining painstaking statistical work with a broad view of the subject. Although, in a few cases, he goes perhaps a little too far in filling up gaps of tradition by means of supposition, he is, on the whole, careful to realize the limits of attainable knowledge. His judgment is sound and unbiassed. He is equally fair to the Anglican, the Puritan, and the Catholic, though his inward sympathy is on the side of the Church. It is his large, dispassionate view of all parties, his clear insight into the motive powers of Elizabethan and Jacobean church life, together with a great amount of new material, that will secure to these volumes unanimous recognition as a valuable contribution to our knowledge of the subject. This worth will not be lessened, even if the leading idea of the book should not be received in such a full sense as the author wishes to have it recognized.

The arrangement of the work is, partly, a weak point. Though it is easy and pleasant to read, as far as its style is concerned, which is always clear and often noble, the author is, at least in the first and third books, not as fortunate in the arrangement of his vast materials. What he offers in the first book is, for the greater part, a series of separate essays, well shaped in themselves, united under a common heading, but lacking either a cogent logical connection or chronological order. Besides, in some of these essays, the contents only to a small extent coincide with their respective titles. These deficiencies, enhanced through the absence of a detailed table of contents, make it at times difficult to find out where a certain topic is treated.

The first book, "Preparation for Reconstruction" (1583-1603) plainly shows the constitutional defectiveness of the Elizabethan Church, hitherto not realized to its full extent. After all, if the Church stood its ground during the queen's long and stormy reign, it may be juridically correct, but certainly not historically adequate, to describe its constitution as a legal chaos, or as a series of temporary makeshifts of disputable validity, still requiring fundamental "reconstruction". Perhaps the most important, certainly the most difficult task, undertaken in the first book, is the attempt to show, on statistical foundations, the proportional strength and the geographical distribution of Anglicans, Catholics, and Puritans. Even he who cannot agree with all of Mr. Usher's conjectures, will admire the amount of reliable work which is evidenced in three maps of England, showing the distribution of Catholic laymen, of Puritan ministers, and of Churchmen in 1603. The most impugnable point seems to me to be the author's conception of Catholic and Puritan forces in relation to the total of the English population. He gives the Puritans "perhaps fifty thousand able-bodied men" (I. 280); this equals,



counting families, say, 200,000 souls, or about one-twentieth of the whole population. As for the number of Catholics, after admitting that he has not found any satisfactory information, he hazards a guess of "750,000 or 1,000,000" (I. 159), *i. e.*, about one fourth or one fifth of England! If these figures are correct, the development under James I. and Charles I. becomes a puzzle. I am unable to verify the statistics of the Puritan party; but perhaps I may mention that for the Catholics, approaching the problem from another side than Mr. Usher does, I have arrived at the low figure of 120,000 or little more.<sup>1</sup>

The second, comparatively short book, "Reconstruction", leads to the culminating point of the development, giving as it does an excellent, minutely detailed account of the English church history during the important years 1603 to 1605. The chief interest is concentrated upon the Hampton Court conference, the canons of 1604 and the visitation articles of 1605. The canons, in the author's opinion, are as epoch-making in the history of the English Church as the divorce of Catharine of Aragon and the Elizabethan Act of Supremacy. It seems quite possible to me to accept nearly every single statement of Mr. Usher's investigation, and still to decline his general conclusion as the exaggerated form of a sound idea. What Bancroft achieved was much indeed and may only now be fully appreciated: he did away with the legal discrepancies of the Elizabethan period; he drew a clear limit to the Church's dominion by codifying its constitution; and he introduced a regular administration instead of a system of more or less extraordinary measures. But all this may be described rather as the completion of the interior of a building already outwardly finished, than as a total "reconstruction", as Mr. Usher insists on calling it.

The third book, "Vindication of Reconstruction", covers the last five years of Bancroft's primacy (1605-1610). It shows how Puritans and Catholics, Parliament and law courts were each affected through the legal changes undergone by the Church in the preceding years. It further shows the improvement in the administration and in the economical and moral state of the Church itself. With this, it contains some topics which are only indirectly connected with the subject, such as the history of the Gunpowder Plot, the Oath of Allegiance, and the hierarchic organization of the Catholics. It is difficult not to persuade one's self that these subjects are dealt with here only because the "Reconstruction" of the English Church is to the author identical with the history of Bancroft's primacy. If we reduce this favorite idea of Mr. Usher's to its proper limit, we may gratefully admit that we owe to his laborious researches a valuable modification of our views of Elizabethan and Jacobean church history.

A. O. MEYER.

<sup>1</sup> In a book recently published, *England und die Katholische Kirche unter Elisabeth* (Rome, Loescher and Company, 1911).

*The National Church of Sweden.* By JOHN WORDSWORTH, D.D., Bishop of Salisbury. [The Hale Lectures, 1910.] (London: A. R. Mowbray and Company, Ltd.; Milwaukee: The Young Churchman Company. 1911. Pp. xix, 459.)

THIS volume has been written "to promote brotherly intercourse between the Anglican communion and the Swedish Church". Its aim is to communicate to the English-speaking public such information concerning the ecclesiastical and religious life of Sweden as may lead to a higher appreciation of its history and people. It closes with the suggestion of an ultimate "alliance between the [estimated] thirty-two millions of Anglicans and the [estimated] seventy millions of Lutherans" (p. 441).

For this purpose the venerable Bishop of Salisbury has applied himself to the study of a large array of sources in the Swedish, as well as in translations, and offers bibliographical lists and references of importance. Within the few months limited for the preparation of these lectures, the scheme which he prepared for his work was too extensive, and as the result we find a mass of material industriously compiled without being well digested. If less time had been devoted to the geography, topography, and antiquities of the land, as well as to such mere episodes as the careers of Birgitta and Swedenburg, the studies bearing on the main object of the book could have been more extensive and thorough.

The plan throughout is to bring into prominence all points of agreement and resemblance between the Swedish and the English churches. In doing this the author has not overlooked the close connection between the Swedish and the German Reformation, or ignored the fact that the Swedish, while an episcopal, is none the less a Lutheran church. We miss, however, sufficient traces of acquaintance with the history and contemporary literature of the German Reformation, to assure results of permanent value. We may instance the author's almost complete dependence upon the English translation of Dorner's *History of Protestant Theology* for his knowledge of the latter half of the sixteenth century in Germany. Another example is his recognition of the services of Hase in "having conveniently printed in one volume" the Lutheran Confessions (p. 304)—an act first done officially when the Book of Concord was promulgated, more than 250 years before the edition of Hase, which is now antiquated, that of J. T. Müller (tenth edition, 1907) being the standard text for modern scholars. If the author had been at home in the Reformation literature of the Continent, he would probably have traced the connection between the extract which he quotes at length (pp. 232 ff.) from the *Directory of Public Worship* of 1571, on the office of bishop, and Melancthon's treatment of the same subject in the Appendix to the Schmalkald Articles of 1537. Nor is the study of either the Swedish or the English orders, and especially their resemblances, complete without the recognition of how much both are dependent upon what had been previously accomplished in the same direction in Germany.

As these lectures were delivered in Chicago, much attention is given to the history of the Swedish emigration to America, the ecclesiastical relations of the Swedish immigrants, and the growth and present condition of the influential Swedish Augustana Synod of the Lutheran Church, with its more than 160,000 communicant members, whose central institution at Rock Island Bishop Wordsworth visited. There is however no allusion, save in the index, to the distinguished Rt. Rev. K. G. H. von Scheele, the bishop of Visby, whose three visits to this country as the official representative of the king and church of Sweden have exerted the greatest influence in maintaining and strengthening the bond between the mother church and her American daughter, and whose last visit, in company with the learned Rector Magnificus of Upsala, Professor Schück, whose name appears frequently in this book, preceded that of the Bishop of Salisbury only by about three months; and on referring to the page indicated, the only Scheele mentioned there (p. 327) is the chemist of the eighteenth century of the same name.

Notwithstanding the dedication of the book, by permission, to the Crown Princess of Sweden, and the reading of the proofs by several prominent Swedish ecclesiastics, it leaves the impression of being made from the outside, instead of being a growth from within. No one can charge the author with conscious unfairness. His amiability and earnestness are attractive. But with all this the value of these lectures is only as an incentive and suggestion of an interesting and fruitful field that in the English language awaits an historian who can cultivate it with more scientific methods.

HENRY EYSTER JACOBS.

*The King's Customs: an Account of Maritime Revenue and Contraband Traffic in England, Scotland, and Ireland, from the Earliest Times to the Year 1800.* In two volumes. By HENRY ATTON and HENRY HURST HOLLAND, with a Preface by F. S. PARRY, C.B., Deputy-Chairman of the Board of Customs. (New York: E. P. Dutton and Company. 1908, 1910. Pp. xv, 489; xii, 506.)

THESE two thick volumes, "a popular history of the Customs", as they are called in the preface, are a curious combination of technical information and enlivening gossip. The authors are members of the staff of the English Customs Office, so that all that pertains to the internal history of that department of the government has an interest to them that is easily communicable to their readers. "The Customs", however, has a wider meaning, and its history includes an account of all the devices adopted by the crown for securing money from merchants exporting or importing goods, and the means of carrying out those devices and preventing their nullification by schemers of various kinds. Although the work purports to extend from the earliest times to the present, it is devoted principally to the period since the Restoration of 1660. All the previous centuries are described in 100 pages of the first

volume. Although nothing of especial value or originality is to be found in this part of the work it is by no means without interest. The authors' plan is to begin the narrative of each reign with a short account of the characteristic legislation concerning the revenue, then to take up the methods of carrying out this legislation, and finally to give instances of the difficulties and contests met with in doing so. This plan sometimes throws quite unimportant things into prominence and unduly subordinates matters of great interest. Such striking changes as the transfer of the control of English commerce from foreigners to natives in the fourteenth and fifteenth centuries, the change from the export of wool and import of cloth to the import of wool and export of cloth, the intrusion of English merchants for the first time into the Mediterranean, the establishment of Parliamentary grants of tunnage and poundage to the monarchs for the whole of their reign, and such larger historic facts, appear almost unannounced and almost undistinguished from quite petty and temporary matters.

The same is true of the characteristic organization of medieval trade. The Hanse, the Staple, the Merchants Adventurers, receive only very casual mention and it is obvious that the authors know nothing of their internal character or especial significance. This omission is closely connected with the paucity of the sources of information from which the book is drawn. With the usual English unfamiliarity with foreign literature it is perhaps not to be wondered at that even students of English medieval financial history have not used such books as Schanz, Keutgen, Ochenkowski, Lingelbach, and Jenckes, but one would think they might have shown some knowledge of the matter contained in Mrs. Green's *Town Life in the Fifteenth Century*. Yet if the authors do not use good secondary works neither do they use bad ones; their materials are almost all drawn from the statutes, Treasury papers, and certain collections of cases made by Treasury antiquarians.

Such a work is sure to treat largely of smuggling, that great field of stirring, if not very elevated, romance; and as a matter of fact far the greater part of the first volume and much of the second is devoted to a narrative of actual incidents of this nature. The entrance of Scotland and Ireland into the national customs system, the gradual introduction of freedom of trade and the repeal of the Navigation Laws, with the general relaxation of the revenue to which these gave rise, are recounted with an abundance, probably an overabundance, of illustrative incident. Correspondence between the customs department and other departments of the government and picturesque incidents and striking occurrences in the ordinary process of collecting the revenue as a matter of fact account for much of the bulk of this book. Connecting these, however, is a constant thread of explanation and description which makes it, popular and unskilfully arranged as it is, no mean contribution to a not very familiar side of English history.

E. P. CHEYNEY.



*Annals of a Yorkshire House, from the Papers of a Macaroni and his Kindred.* In two volumes. By A. M. W. STIRLING. (London and New York: John Lane Company. 1911. Pp. xviii, 361; viii, 365.)

THE present work is based upon papers left by Ann Spencer Stanhope, including notably the letters and journal of her son, Walter Spencer Stanhope, and other papers of the Spencer and Stanhope families. With this material in hand, John Stanhope prepared, a half century ago, the rough draft of a memoir which was never completed. Mrs. Stirling has taken the Memoir and what is left of the papers and prepared the two volumes now published. The book opens with a chapter on the legend connected with Cannon Hall, which takes us back to the Middle Ages. The four following chapters trace the early history of the families of Spencer and Stanhope to the middle of the eighteenth century; particularly interesting are the chapters dealing with "the old Lawyer", John of Horsforth, and John of Cannon Hall, known always as "Squire Spencer". The rest of the work has as its main theme the man who inherited both properties and effectually united the two families, Walter Spencer Stanhope, "the Macaroni, the youth about town, the member of Parliament during forty years, the friend of so many of the celebrated men of the eighteenth century". Mrs. Stirling is very discursive, however, and Stanhope is rather the excuse for the narrative than its substance. We are hardly presented, indeed, with as vivid a portrait of the shrewd, cool, fastidious, somewhat calculating, yet eminently courageous and independent squire-statesman as we might reasonably expect from the author's able pen. And then we are told rather than convinced that Stanhope's political influence was of a first-rate order: it is difficult to think that the fate of the empire, or even of the Coalition, depended upon his stand on the Yorkshire Address (II. 183).

The book is most valuable, not in presenting us with a life of Stanhope, but in the many excellent pictures it gives us of eighteenth-century political and social life in country and town. In the chapter on the Tyrant of the North, for example, we see the inside of that social and political system which enabled the eccentric Sir James Lowther to dominate Westmoreland County for so many years, the machinery by which he set up and tumbled over his "Nine Pins" being very clearly revealed. Likewise, in chapter xv., there is an excellent account of the campaign in Yorkshire against the Coalition which resulted in the return of Wilberforce for York. There is much in the book for the historian of manners and customs: open hospitality, the spinnet, fancy-work, hunting, and hard drinking in the country, and in the town the social whirl, exclusive clubs, gambling and hard drinking—we do not grow tired of these familiar pictures. The narrative is spiced with well-told anecdotes, old and new, about famous people: Pitt, Fox, Burke, Johnson, and the solemn Michael Angelo ("Law-Chick") Taylor. The incident of

Stanhope braving a mob and depriving it of its legal right of bull-baiting, and the picture of old John of Horsforth laying his cane over the back of every idler he met are especially instructive in correcting the traditional idea of England as the country where every man's liberty was guaranteed by a "rule of law". Though hardly so valuable a work as the author's *Coke of Norfolk*, the book is a welcome addition to the literature of English history; doubtless it might have been shortened to one volume without much loss, but after all a leisurely pace and a dilettante air reflect the spirit of the eighteenth century better than a more business-like tone would have done. The book is excellently made and contains many portraits and illustrations. Grange should certainly read Orange at page 126 of volume II.

CARL BECKER.

*The Awakening of Scotland: a History from 1747 to 1797.* By WILLIAM LAW MATHIESON. (Glasgow: James MacLehose and Sons. 1910. Pp. xiv, 303.)

THE present volume is one of a series of three works by the same author, and those whose expectations have been raised by the reading of the previous two will not, in our opinion, find themselves disappointed when they come to read the third. In taking up the period from 1747 to 1797, the author has fixed upon a section of Scottish history from which the fire and movement of covenanting times are passed away—which has lost the element of romance implied in a "Fifteen" or a "Forty-five". Yet, while the element of romantic adventure has disappeared, it is no uninteresting story that Mr. Mathieson has to tell of what we might call the Scottish Renaissance, when the rise of a literature not unworthy to take rank with the best went hand-in-hand with growing political wisdom, growing freedom and depth of thought, growing material prosperity, and growing enterprise, to start Scotland along the path on which during the last century and a half she has travelled so far. And just as the author in each of his previous works has risen to the greatness of his subject, so in this also he has not fallen short. The chapters on the political development of Scotland are characterized by an intimate and detailed knowledge of the subject, and though in some places one might pass the criticism that it is difficult to see the wood for the trees, yet the mass of facts is traversed by bold and illuminating generalizations, which bring the details into line, and enlivened by flashes of humor which prevent the work from ever turning wearisome.

It would be difficult to praise too highly the chapters on the ecclesiastical history of the period—the sketch of the struggle between the Moderate and Popular parties is exceedingly well done. The author never rises to heights of eloquence, indeed—perhaps a subject of the kind does not readily lend itself to such eloquence—but in this part of the volume his style is so thoroughly clear, his mastery of the facts is so complete, his narrative runs so easily, and his satire is so delightful

and pungent, that we have little hesitation in pronouncing it the best part of the book. The survey of the awakening intellectual life of Scotland is excellent, and even the prosaic record of industrial development is turned to literary account.

To say much by way of adverse criticism in a review of this length would be both thankless and unfair. Occasionally perhaps, but certainly seldom, the writer's mass of facts gets the better of him, and if he had written a longer book, he would be less the victim of his own industry. For example, on page 229 he speaks as if Whitefield's influence were alone responsible for the Cambuslang "wark", whereas McCulloch, Bowman, More, and others had the revival in full swing before Whitefield appeared on the scene at all. This, doubtless, is the result of the need of undue condensation—and on the whole the book is a continuous triumph of clear thinking and clear style over a mass of material which might have been an impossible burden for one less skilful than Mr. Mathieson.

Speaking of the author's first book, the *Scotsman* said, "Mr. Mathieson makes his first appearance as a Scottish historian, and in this singularly able work he steps at once into the front rank". One might say of the present volume that it fully entitles him to retain the place he has won for himself among the writers of Scottish history. Those who know the able work done by the late Mr. Henry Grey Graham upon the same period of the country's history will find little difficulty in ranking Mr. Mathieson alongside of him.

JOHN DALL.

*A History of the British Army.* By the Hon. J. W. FORTESCUE. Vol. V., 1803–1807; Vol. VI., 1807–1809. (London and New York: Macmillan and Company. 1910. Pp. xxi, 437; xix, 448.)

THE high quality of Mr. Fortescue's *History of the British Army* is well maintained in the two volumes lately published, although they deal with a dreary period during which a few great deeds and noteworthy achievements were more than set off by serious failures and extraordinary incapacity in the cabinet and in the field. He is a laborious and tireless student and besides a multitude of printed authorities has searched the files of unpublished correspondence in the Public Record Office to good purpose.

In the Mahratta war of 1803–1805, the British forces were indeed fortunate in possessing two commanders endowed with such ability, energy, and unwavering determination to succeed as Arthur Wellesley and Gerard Lake. Their methods of achieving success were, however, essentially different. Lake risked much and trusted to his driving power and the dogged courage and endurance of his troops to pull him through. At Laswarree, Delhi, Furruckabad, and Deig, he was signally favored by fortune and all went well, but the mishaps of Monson's column and the repeated bloody repulses of his assaults on Bhurtpore were directly due

to impatience and want of forethought. On the other hand, although Assaye was certainly won by the narrowest margin, beneath it lay "a solid structure of communications thoroughly guarded, magazines and advanced bases carefully stored, transport laboriously organized; everything provided that prudence and sagacity could foresee, nothing left to chance which could be assured by industry and care". As Mr. Fortescue aptly remarks, "Lake's system might suffice for one man; Wellesley's gave a chance of success to any man". Still Lake was undeniably a fine, indomitable soldier, the inspiration of whose leadership impelled his men to march and fight beyond the limits of ordinary endurance.

Mr. Fortescue constantly strives to seek the causes that led to victory or defeat, and it might seem that he has occasionally given too much space to a minor campaign such as the half-forgotten war with the King of Kandy in 1803, were it not, as he states, that "it may serve as a warning of the mischief that may be done by a foolish Governor seconded by a foolish General".

In the dismal history of those years, folly in the conduct of military operations predominates. The Ministry of All the Talents seldom let slip an opportunity of displacing a competent by an incapable commander and hampering all with absurd instructions. One officer was put in command of a force of less than five thousand men with which he was directed to conquer the province of Chile and establish a chain of posts across the Andes to Buenos Ayres, a distance of nine hundred miles as the crow flies, which is justly characterized as "one of the most astonishing plans that ever emanated from the brain even of a British Minister of War". Sir John Moore, a very capable commander, on the other hand, was virtually told, "Take ten thousand troops to Sweden and do something. We do not know what you can do, nor have we any reason for giving you ten thousand instead of thirty thousand men, except that we are not disposed to risk the loss of more". The troops were not permitted to land and were retained on board the transports for three months when they were ordered back to England. It is scarcely surprising that some of Moore's friends declared that the expedition was a trick devised by the ministers to get rid of their ablest general, though it can no longer be doubted that it was undertaken in good faith but with amazing lack of judgment.

The waywardness and ineptitude of Sir John Stuart and Sir Sidney Smith, both men of courage and some ability but inordinate vanity, to whom the command of the combined military and naval operations in the Mediterranean in 1806 was unluckily entrusted, are vividly described. The mismanagement of this expedition was barely surpassed by that of another to South America conducted by Sir Home Popham and General Whitelocke during the following year. The battle of Maida was, however, highly creditable to the troops engaged. Five thousand two hundred British soldiers encountered six thousand four



hundred French in the open field without any distinct advantage in position or circumstances and inflicted upon them a crushing defeat in which their loss was remarkably severe and that of the British almost incredibly light. The British infantry formed in a shallow but broad line met the onset of a narrow but deep French column that was dashed against it, with an irresistible storm of bullets in front and flanks. The assailants were soon thrown into irretrievable disorder and more men fell in the retreat than in the advance. It was a signal triumph of fire-action over shock-action, won by cool and steady marksmanship. Whatever profit might have been derived from following it up was thrown away by Stuart and Smith, except the useful experience in fighting the French acquired by the troops and such subordinate leaders as Cole, Kempt, Oswald, and Ross, all of whom subsequently earned distinction in the campaigns of the Peninsula.

Mr. Fortescue has visited the scenes of the Vimeiro campaign and his description of the battles has gained color and accuracy from his personal knowledge of the ground on which they were fought. Such an inspection of the battlefield would seem as indispensable to the military historian as the study of contemporary records. At Roliça the French were greatly, and at Vimeiro considerably, outnumbered and in the latter action Junot used his troops badly by wasting their efforts in a series of disconnected attacks which were met and repelled by superior numbers. The fruits of victory were lost by the failure to follow it up due to the caution and indecision of Burrard and Dalrymple.

Napier's and Oman's accounts of Moore's campaign have been carefully compared with the Spanish histories of Arteche and Toreno and Commandant Balagny's *Campagne de l'Empereur Napoléon en Espagne*, recently published under the auspices of the Historical Section of the French General Staff, which contains much material that was inaccessible to former writers. Moore's conduct of the retreat is vigorously defended, although no attempt is made to conceal or minimize the heavy losses sustained in men and stores. The oft-debated question whether any military or political advantage was gained by Moore's raid on Napoleon's communications is temperately reviewed. At the time, the entire campaign seemed a dreary tale of disaster relieved only by two or three brilliant cavalry actions and the sharp repulse of an ill-directed reconnoissance in force undertaken by Marshal Soult just before the embarkation at Coruña. Mr. Fortescue is convinced that "Moore's operations produced very considerable results; and it is no exaggeration to say that they changed the whole course of history". Possibly with more reason he regards Moore as the very best trainer of troops ever possessed by Britain, and points out that his system rested on the single principle that each and every officer should be required to know and perform his duty and to teach his men their duty also. "No man", he concludes, "not Cromwell, nor Marlborough, nor Wellington, has set so strong a mark for good upon the British Army as John Moore".

An adequate index to this installment of the work is provided at the

end of the sixth volume and there are twenty-six maps and plans. Those relating to the actions at Maida, Vimeiro, and Coruña deserve special mention.

E. A. CRUIKSHANK.

*Geschichte der Russischen Revolution.* Von LUDWIG KULCZYCKI.

Einzig autorisierte Übersetzung aus dem Polnischen von ANNA SCHAPIROE-NEURATH. Band I. *Von den Dekabristen bis zu dem Versuch, die Agitation ins Volk zu tragen (1825 bis 1870).* (Gotha: Friedrich Andreas Perthes. 1910. Pp. xx, 520.)

ALTHOUGH in the last few years much has been written about the Russian revolution, we are still doubtless only at the beginning of the literature on this subject. The immediate political turmoil, however, has in great measure subsided, and even if the lull be but momentary the historian is in less danger than he was a little while ago of having his clearness of vision obscured by the dust of battle. The time has come therefore when we may hope for careful scholarly works, not only in Russian but in western languages, that shall give us thoughtful and, as far as possible, unprejudiced accounts of the whole movement. Fortunately we have good promise of such a work from the pen of Professor Kulczycki, of Lemberg, whose first volume has just appeared in a German translation from the Polish. He has studied his topic for some twenty years and he has known personally several of the Russian revolutionists. His sympathies are indeed obvious, but so far, at least, he has written with singular dispassionateness, seldom if ever allowing himself to be carried away by his liberal sentiments or by his national patriotism as a Pole.

After an introduction of about one hundred pages, the author devotes the rest of his first volume to the period of Russian history between 1825 and 1870. In two succeeding volumes he will bring down the narrative to September 30, 1905. His tale of recent events may be expected to prove more interesting to most readers than the part we have before us. It will not necessarily be more valuable, for what he already offers is no mere preface but a systematic account of the earlier stages of a great movement. Even if they long seemed barren of permanent result, a knowledge of them is indispensable to any one who wishes to comprehend fully the later history.

Up to the time of the conspiracy which culminated in the rising of the Decabrists in 1825, we may say that in Russia liberal criticism and discontent showed itself in mere isolated mutterings. Since then a revolutionary party has existed, albeit nearly stamped out of existence at the start and for long years small and impotent. Professor Kulczycki's account of the December rising confirms the usually received opinion that the conspirators, most of them men of high character, were hopelessly visionary, not to say incompetent. Accident offered them an extraordinary chance of temporary success in their wild enterprise but

this they threw away, chiefly owing to the cowardice of Prince Trubetzkoi whom they had made their leader at the critical moment. Their failure was followed by almost a generation of reactionary government, a period distinguished it is true by brilliant literary activity but characterized by political stagnation. Revolutionary ideas only began to crop up again under the influence of the teachings of the French socialists, of the troubles of 1848 in western Europe, of the disasters of the Crimean War, the reforms of Alexander II., and the disappointment that followed their first application.

Professor Kulczycki is not writing for beginners; he assumes on the part of his readers familiarity with the history of Russia and with general conditions and he refers to rather than describes political events. What he does offer us is the story of the chief revolutionists for nearly half a century. He explains their respective theories, not perhaps at undue length but in such numbers as to leave us in the end rather confused as to the special peculiarities of each, the more so as several of these revolutionists differed not only from one another but also in the details of their own opinions at different moments in their careers. He seems to have most admiration for Herzen and for Chernyshevski, and does not condemn the anarchistic doctrines of Bakunin, but treats them objectively; indeed, throughout, his tone is so admirably sober that we may forgive him a slight dryness and occasional unnecessary disquisitions. We may well be grateful for so careful and judicial a presentation of the characters, teachings, and activities of the men who were as truly the fathers of the Revolution in Russia as the *philosophes* of the eighteenth century were of the Revolution in France.

ARCHIBALD CARY COOLIDGE.

*The Income Tax: a Study of the History, Theory, and Practice of Income Taxation at Home and Abroad.* By EDWIN R. A. SELIGMAN, McVickar Professor of Political Economy, Columbia University. (New York: The Macmillan Company. 1911. Pp. xi, 711.)

PROFESSOR SELIGMAN'S purpose, as he tells us in his preface, is to give "an exhaustive statement, not only of the legislation and of the parliamentary history, but also of the scientific as well as of the more ephemeral literature of the topic, in the most important countries from which we have a lesson to learn". This purpose has been carried out with the thoroughness which his earlier works would lead us to expect. The space is about equally divided between the United States and foreign countries. Among foreign countries most attention is naturally devoted to England, the discussion constituting the most complete history of the English income tax which we have. The history of the Prussian tax, and of the agitation of the income tax in France, which seems to be on the point of culminating in actual legislation, are also

discussed in detail, while the history of the Austrian, Italian, and Swiss income taxes is given in more summary form.

The chapters on the income tax in the American colonies, state income taxes, the income tax of 1894, and the proposed sixteenth amendment, and a portion of the chapter on the constitutionality of the income tax have previously appeared in essay form, but the last named chapter has been greatly expanded, and additional chapters have been added on the Civil War income tax, and the income tax in the Southern Confederacy. A chapter on the Fundamental Problems and a chapter on "A Practicable Programme" precede and follow respectively the historical discussion which constitutes the main portion of the volume.

It is evident that Professor Seligman has written with a practical as well as an historical purpose. He believes that the time is now ripe for the adoption of the tax as a permanent part of the fiscal system of the United States and that it promises to be, as it was in England and Prussia, the most effective instrument in bringing about the needed reforms in the existing tax system, in particular the abandonment of the tax on personal property. Considerations of both economic and administrative conditions, however, preclude the levying of the tax by the states. He suggests, therefore, that the tax be levied by the federal government, and that a portion at least of the proceeds be distributed among the states, the federal government having, of course, the power, which may some time prove to be essential to the preservation of its existence, of using the tax to meet its own needs. The method of federal collection he believes might also be employed with advantage in connection with the corporation and inheritance taxes. Possibly "A Vision of Future Possibilities" would have been a better title than "A Practicable Programme" for the chapter in which these views are advanced.

The portions of the book which will attract the most attention at the moment are those which deal with the income tax decisions of 1895 and the proposed income tax amendment. In connection with the former, the author shows beyond question that the court was led astray on certain questions of historical fact. In connection with the latter, he combats Governor Hughes's position in his message to the New York legislature, urging that even if, as is improbable, the court should decide that the amendment gives the federal government the right to tax the securities of state and municipal governments, such a right is in accord with sound economic principles and need cause no fear of an encroachment by the federal government on the power of the states.

There are some errors of proof-reading and inaccurate statements. Of some importance are the statement on page 244 that under the Prussian law of 1873 "the two lower classes [*i. e.*, incomes up to 4200 marks] were abolished"; the statement (page 593) that the present federal corporation tax is levied on dividends instead of net income; and the substitution of "when" for "nor" in the quotation at the bottom of page 623. The discussion of the genesis of the corporation tax on



page 593 hardly gives a correct impression of the sequence of events. There is an excellent index, while a full bibliography and a wealth of bibliographical notes greatly increase the value of the work for students.

HENRY B. GARDNER.

### BOOKS OF AMERICAN HISTORY

*Guide to the Materials for American History in Roman and Other Italian Archives.* By CARL RUSSELL FISH, Professor of American History, University of Wisconsin. (Washington: Carnegie Institution of Washington. 1911. Pp. ix, 289.)

THIS work is published by the Carnegie Department of Historical Research as a preliminary chart of a region still largely unexplored. Under limitations of time, but with a wide field to cover, we consider that Professor Fish has produced a work very satisfactory and decidedly useful. The lines of American history in Roman and other Italian archives are here well traced. The general introduction upon the papal administration (pp. 1-14) merits the attention of cultured persons in general, besides professional historians; and his particular introductions to different depositories are sufficiently minute to be individual as well as instructive. We might mention as an instance of useful information to be gathered there the section on Nunciatures (pp. 53-57).

With perfectly correct judgment, the entries of documents in the numerous series are made without adding any appreciation proper to the historian. So we shall state in brief what results the historian may expect from the use of the matter here sketched. In the first place, it is clear that for any writer on Catholic affairs in America, whether North, Central, or South, this matter is indispensable. If one does not study in the archives for himself, he must send over for copies, as Dr. J. G. Shea did; though it requires very little experience to see that it is one thing to have a document apart and separate, but quite another thing to see it in its environment. A solitary document may be as misleading as it is lonely, since it can lose as much by detachment as an historian does by attachment. Irrespective of all that critical apparatus implies, there is a native environment about a document in its own habitat, among other papers which, even if not connected with it, respire in the archives the atmosphere of the time, and envelop the student in it. Though lists which tabulate documents cannot satisfy this requirement, still we imagine they will conduce in some way to this effect upon the mind.

In the next place we note that, in the movement of political affairs, an important element to determine is the motive or ethical power at work. When a nation like Spain is in action, the element of Catholic principle cannot be separated from the policy actuating the government, whether the latter be faithful to the principles of its religion or not.

How far Spain and France swerved from the line of ecclesiastical direction is slightly touched upon by the editor (pp. 59, 60, 72). But, as to the enunciation of such principles in many of the papers which are here catalogued, the historical student will find it, at least as clear, and certainly not less broad, than the statements of a more secular kind which may be seen in the merely political administration of a great and well-governed empire. It is obvious that, when these principles as they recur have been discerned by the historian, his mind will be able to move in one true current of events.

In the third place, the *Guide* before us furnishes very many elements of fact, as might be expected from the documents of Rome, whither all roads ran. But, quite incidentally, the book shows why great reserve is practised in the communication of documents; and we might even suspect that the same reason could lead to the deliberate destruction of them (p. 120, *ad* note 6). It is that disparaging reflections or charges, with nothing adequate to support them, may be found recorded to the prejudice of individuals or classes—furnishing another illustration of what we have just said about the lonely and misleading document. Again, in an incidental way, the book illustrates another point, how valuable folios disappear from the collections—showing the wear and tear, not to use a stronger word, that is going on in archives open to the public (*c. g.*, p. 47, no. 102, ff. 36-46).

Not a few Italian passages being reproduced in the *Guide*, we should have wished that, if they stand in the documents as they are here, the learned editor had either indicated in the usual way that so indeed they stand, or had subjoined the corrections for the faulty text. As instances, we mention p. 72, note 66; p. 118, l. 6; p. 122, l. 7; p. 183, no. 135; p. 234; p. 241. Among names, Beamans should be Peemans; Nundwiler should be Mundwiler.<sup>1</sup>

THOMAS HUGHES, S.J.

*Minutes of the Executive Council of the Province of New York. Administration of Francis Lovelace, 1668-1673.* Volumes I. and II. Edited by VICTOR HUGO PALTSITS, State Historian. (Albany: published by the State of New York. 1910. Pp. 1-386; xii, 387-806.)

IN these volumes Mr. Paltsits has edited the council minutes of New York during the governorship of Francis Lovelace. To the text of the minutes he has contributed elaborate and helpful annotations, and in order to render intelligible the frequently meagre entries he has added a large number of collateral and illustrative documents filling two-thirds

<sup>1</sup> P. 157, note 56, on Propaganda document: "260. America; ff. 33-37, 'Descriptio Missionis Accadiae in Nova Gallia'." The photographic reproduction here referred to may be seen, according to our own private notes, in the Georgetown College Transcripts, under the date, 1656. We do not suppose that the document was ever published.

of the total space. In the case of the Dutch documents he has placed a translation in a parallel column. He has included in the work two portraits, of James, duke of York, and of Cornelis Steenwijk, mayor of New York city, 1668-1670, many facsimiles of documents, which bear graphic witness to the difficulties of his task, and two pocket maps, one, from the British Museum, of the island of Manhattan with an inset of the city, and the other, from the Harvard Library, a general map of the region north of Virginia with an inset view of New York. The originals of both maps are well known, but have never before been reproduced in full size.

These volumes were planned to inaugurate a series containing the executive council minutes of New York during the colonial period. For the administration of Nicolls no minutes are known to exist, but with a few significant exceptions the list was continuous from 1668 to the Revolution. Such a series executed with Mr. Paltsits's instinct for completeness, accuracy, and high regard for technical form would have formed a substantial and noteworthy contribution to colonial history, but the undertaking will not be carried out under the present auspices. The fire in the New York State Library destroyed ninety per cent. of the documents upon which Mr. Paltsits largely depended, and though the minutes themselves, for the years after 1686, are duplicated in London and so can readily be obtained, the material which renders the present volumes of such unusual importance is gone beyond recall.

The minutes here printed are an index to the executive activities of the period and show the extent to which Lovelace and his council administered the affairs of the province. Except for strictly local concerns control lay in the hands of this body sitting in the fort of St. James. It watched over the affairs of a scattered group of towns and territories, occupied by English, Dutch, and Swedes, and menaced by the presence of discontents within and Indians both within and without. The board exercised a great variety of judicial, administrative and military functions, combining in one the duties of a privy council and a justice of the peace in England.

Of particular interest are the relations of the board with the towns and outlying territories. Lovelace appointed subordinate commissions for the management of Esopus and the adjoining Dutch communities; of the large number of documents here printed throwing light on the organization of those communities Elting knew nothing. Of no less interest are the papers relating to Martha's Vineyard, Nantucket, and other islands, covering more than thirty pages, particularly those defining the government of Nantucket in 1673. The board erected a court at Newcastle on the Delaware, issued the necessary instructions, and mapped out the proper forms to be used in cases of trial.

The Dutch were naturally a source of serious concern to the government. Lovelace could honestly say, "Wee cannot expect they love us", and he issued stringent instructions to look out for breaches of the peace and cases of "scandalous defamation", and to watch for the

"rising up of those seedes of distrust and jealousie amongst us". In view of the scattered character of the province—extending from Schenectady to Newcastle and from "Breucklyn" to Nantucket, we cannot charge him with arbitrary conduct, when we find him instructing his commissioners "not to follow yo<sup>r</sup> owne humo<sup>r</sup> but my ord<sup>rs</sup>", or when as in his dealings with the Long Island towns of New England origin he greeted impatiently their unwillingness to aid in the defence of the province.

There are a few points of minor interest. We find references to the manor of Fordham and to the manor of Fox Hall, the latter created an "enfranchised" manor free from the jurisdiction of any town court and subject only to the court of assizes (p. 760). We meet with quit-rents (pp. 97, 99, 115, 122), the farming of the excise (pp. 82, 83, 187, 548, 626), possession by turf and twig (p. 49), censuses of New York (pp. 58, 89), and convoy arrangements as early as 1672 (pp. 695, 697). Mr. Paltsits might have told us the meaning of "Pluck Money" (p. 65) and the derivation of "Weesmaster" or "Curemaster" (pp. 99, 168, 186, 790), though the duties are clear enough. I notice only one error: Capt. John Seaman of Hempstead came originally not from "the eastern end of Long Island" (p. 73, note 1), but from Wethersfield, accompanying the Rev. Richard Denton, first to Stamford and then to Hempstead.

CHARLES M. ANDREWS.

*The Wilderness Trail, or the Ventures and Adventures of the Pennsylvania Traders on the Allegheny Path, with Some New Annals of the Old West, and the Records of Some Strong Men and Some Bad Ones.* By CHARLES A. HANNA. In two volumes. (New York and London: G. P. Putnam's Sons. 1911. Pp. xxiv, 383; vi, 457.)

WHAT Parkman has done for the French traders along the Great Lakes routes, Mr. Hanna attempts for the Pennsylvania and Ohio traders in tracing their routes, describing their conditions, and portraying their vicissitudes. The title is slightly misleading since it apparently refers to one path or trail, whereas the two volumes give consideration to all trading paths and Indian trails of Pennsylvania, Maryland, northern Virginia, Ohio, and Kentucky. A more exact title would have been "The Pennsylvania Traders", since most of the men engaged in that occupation in those colonies made their headquarters in Pennsylvania. The volumes belong to the growing literature based upon the expansion of the people and a due consideration of the effects of geography upon local history. Being confined to a small space and one class of people, the study becomes intensive, exhaustive, and trustworthy through contemporaneous testimony.

One of the many excellent maps shows the location of the principal trading paths. A glance at the network overspreading Pennsyl-



vania and Ohio gives an impression of the task to which the author has applied himself. Painstakingly he has brought together every mention in print or manuscript of these paths; the Frankstown path, the Juniata, the Raystown, and the Main Path to the Alleghenies are located to the eastward, and the Conchake, the Pickawillany, and the Great Warrior's trails to the westward of the mountains. The location of these paths is in dispute in many places, but the author weighs all evidence and rarely fails to express a decided and deciding opinion. His authorities are chiefly the embryonic gazetteers or descriptions of trading routes prepared by Indian factors for their agents.

By confining his investigations and quotations to one region, the author has produced a limited story of a lost occupation and a passed environment, but it is typical of conditions existing in other parts of the colonies at the same time. For materials, he has depended upon colonial court records, upon reports of governors, and upon diaries and "journals". Many of these are familiar to students, particularly the writings of Hutchins, Pownall, Croghan, Trent, and Richard Smith. A few extracts are from manuscripts, mostly in the collections of the Historical Society of Pennsylvania. A large number of maps are reproduced from the writings quoted. Foot-note references are abundant. There are numerous illustrations, mostly from photographs of present appearances of sites of forts and Indian villages. There are also photographs of Indian "picture writing" on rocks, but without any attempt at explanation or deciphering.

The volumes are a blend of the typical local historian and the modern investigator. There is a vast assemblage of material, not very skilfully put together, and without original matter of deduction or comment. No doubt the determination was wise when the author decided to bring together his material and let the extracts tell the story. The volumes will be of service to the intensive student of American history in the wealth of suggestive material they contain; they will also be found readable by the general public as giving the story of the pioneers of modern trading industries.

*The Records of the Federal Convention of 1787.* Edited by MAX FARRAND, Professor of History in Yale University. In three volumes. (New Haven: Yale University Press. 1911. Pp. xxvi, 606; 667; 685.)

THE purpose of the editor of these volumes has been to bring together all the records of the Convention. In this case "records" is necessarily a very inclusive term, for from the official minutes of the Convention we obtain little actual information of importance. If we would know what was done during those four months of discussion, we must depend on notes taken by members of the Convention or on statements made by them either at the time or in later days. The editor has sought, therefore, every scrap of information that might properly be considered source-

material. Letters written or speeches made long years after the Convention had adjourned may not be taken over-seriously by the critical student of history; but when such statements come from participants in the Convention's work, they must be classed as sources and be given such weight as the individual investigator feels justified in ascribing to them. The editor has included contemporaneous letters that throw even the least possible light on the meeting and the activity of the delegates. He has included, for example, a letter from Franklin to Thomas Jordan, dated May 18, 1787, acknowledging the receipt of a cask of porter, which was "broached" at a dinner given by Franklin to the delegates then in Philadelphia and which was unanimously declared to be the best the distinguished fathers of our constitutional being had ever tasted. The editor has not tried to discuss the meaning of the documents but to collect them, collate them, and subject them to all the tests of external criticism.

The first two volumes contain the notes or memoranda taken by the delegates in Convention and the official journal. These notes are arranged in strict chronological order, those of each day being placed together; first in each day's procedure comes the journal, then come Madison's notes, then those of the other delegates that left notes or memoranda for that day. Thus on May 31 appear first the journal, then in order the notes of Madison, Yates, King, Pierce, and McHenry. In some instances clearness would have been gained by presenting these various reports in parallel columns; but it is quite evident that such efforts to give a conspectus of the discussion presented insurmountable difficulties from the viewpoint of practical book-making. At the end of the journal of each day is printed the detail of ayes and noes as they appear on the loose sheets left by the secretary of the Convention. The student of the Convention thus has before him under each day the various accounts of the proceedings for that day and can, with little trouble, make such comparisons as he may wish to make.

The third volume contains a mass of material which the editor has classed as "supplementary records". This material is not easily described; but the principle on which it was selected appears on the whole to be sound. Principle would naturally exclude mere comments by later writers or interpretations by those who had not taken part in the Convention's work; likewise we should expect to find, and we do find, statements by participants; letters written by delegates while in attendance even though they contain little or no information concerning the work actually done; statements made in ratifying conventions, for example remarks made by Wilson, Hamilton, Yates, and Madison; assertions that were made by members in the essays and pamphlets written when the Constitution was before the people for ratification, provided such statements tended to show what occurred in the Convention. This supplementary material includes Luther Martin's *Genuine Information* and even some extracts from the *Federalist*, as well as letters written at a later time by members of the Convention—in short a

mass of source-material much of which is more interesting than valuable as evidence of what was said and done.

Possibly in the arrangement of the materials contained in volume III., some better plan might have been devised than that of rigid adherence to chronological order. Of course there is decided difference in value between statements made before 1789, let us say, and those made in 1830. Comments made by the framers while the Constitution was under discussion and before final ratification by the people might, one would think, have been brought together instead of being scattered in obedience to the dictates of chronological order. This criticism, if it has any value, is on the whole trivial, however, and the reviewer acknowledges the difficulty of discovering a better system of arrangement than the one followed.

There is good reason for thinking that the text is accurately copied from the originals, and certainly every reasonable effort to secure accuracy seems to have been made. The preparation of the Madison notes evidently presented most perplexing difficulties. In the third volume of the *Documentary History*, they are so printed as to show all erasures and interlineations; every alteration in the text is indicated. The reproduction of all these alterations here was evidently unnecessary; we are glad to have in the *Documentary History* a reprint which attempts to show the exact form of the Madison manuscript as far as that can be shown by mere typographical devices; but adherence to the exact form of the original would for such volumes as these be little less than pedantry. For example, there can be no use in knowing that Madison wrote, in Mason's speech of June 20, "are", and then struck out the word and wrote it in again, or that in another sentence he struck out "that" and inserted "the". Just how many of these alterations should appear in this reprint is evidently a question of judgment, supported by an appreciation of what is or may be significant; and for just such decisions, a thorough knowledge of the Convention's work is necessary. The editor appears to have indicated alterations made by the writer in the text when such alterations are important or might be considered so. In the opinion of the reviewer he has acted wisely and apparently has not erred on the side of omission.

The careful reproduction of Madison's text is the more important because, as Mr. Farrand shows, it cannot in all respects be considered an independent source. Madison went over his manuscript carefully after the publication of the journal in 1819 and corrected, or more properly changed, his own text in a good many instances to make it agree with the printed journal and with Yates's minutes, and at times added to his notes information obtained from the same sources. The editor points out a number, perhaps all of these changes and additions—in itself a laborious task—and it is interesting to notice that in some instances Madison's original notes were correct and that he erred when he changed them.

The various plans presented to the Convention receive attention though by no means exhaustive and critical discussion. The editor believes that the Madison copy of the Virginia plan is the correct one and not corrupted by the insertion of provisions adopted in Convention after the plan was presented. There is room for difference of opinion on this matter. The fact that the clause adopted on June 4 is in an essential particular different from the words on the same subject appearing in Madison's draft of the plan is strong evidence that Madison did not introduce these words from the resolution of June 4; but on the other hand it should be noticed that the Convention, if the journal is correct, adopted the first clause of the ninth resolution and then moved to "add" the words in question. Now we might translate "add" as "accept"; but that translation would not do away with the difficulty arising from the fact that the Convention had already adopted the first "clause", which, under any reasonable or at least usual definition of the word "clause", would have included, if they were in the original plan, the substance of these very provisions proposed to be "added". Neither argument is entirely satisfactory, and the editor is certainly entitled to his judgment concerning the correctness of the Madison copy.

The Paterson plan, as it appears in Madison's notes, is also accepted as the one which was actually presented to the Convention. In the reviewer's judgment this conclusion is correct. King's copy is in itself very strong evidence in that direction. The Pinckney plan receives considerable attention. The plan which was sent by Pinckney to Adams and which appeared in the official journal (1819) is not of course given here as if it were a part of the original journal or of Madison's notes. It is printed as an appendix in the third volume, and with it is printed a reconstructed plan, an effort to show from various sources of information what in all likelihood the original propositions were. The outline of the plan which is in Wilson's handwriting and probably made for the use of the committee of detail is printed with other papers throwing light on the work of that committee.

One unacquainted with the character of the sources of the Convention can have little appreciation of the amount of painstaking work and the amount of sound judgment required for the collecting and editing of this material. Even the collection was no slight task, though the REVIEW by publishing many documents, some of them discovered by the editors, has lightened the work. Annotation and comparison of materials is done laboriously. The introductory essay, which is nearly the same as the article by Mr. Farrand in volume XIII. of the REVIEW, is invaluable, but might perhaps for this purpose have been more elaborate and detailed. Unless some inconsiderate person unearths some new scrap of authentic material, these volumes will remain the complete and be the definitive edition of the Convention's records.

ANDREW C. McLAUGHLIN.



*The Alexander Letters, 1787-1900.* (Savannah: privately printed for George J. Baldwin. 1910. Pp. 387.)

IN the early decades of American independence middle Georgia was a land of rich opportunity, with industrial conditions rapidly changing from frontier to plantation type and a heterogeneous population as rapidly developing an orderly and dignified social regime. In January, 1787, Sarah Porter Hillhouse, a bride who had just accompanied her husband, a New-Englander like herself, to his new home at Washington, Georgia, wrote to her father describing conditions around her:

"There are a few, and a very few, Worthy good people in the Country, near us, but the people in general are the most prophane, blasphemous set of people I ever heard of. They make it a steady practice (if they have money) to come to town every day if possible, and as Mr. Hillhouse is the only person that keeps Liquors, we have the whole throng around us, as many as fifty at a time, take one day with another, and sometimes when any public business is done, which is often, fourteen or sixteen hundred standing so thick that they look like a flock of Black-birds, and perhaps not one in fifty but what we call fighting drunk. . . . They have spent in our cellar for liquor in one day Thirty Pounds Stg., and not a drop carried 1 rod from the store, but sit on a log and swallow it as quick as possible."

The letter from which this extract is taken is the first appearing (pp. 16, 17) in the volume of the *Alexander Letters*. It was written by the great-grandmother of the ten Alexander brothers and sisters of the Civil War generation (born 1824-1848) who wrote the bulk of the remaining letters contained in the volume. If letters of the same period were extant from the other ancestors of the Alexander group they must have been written from homes severally in Virginia, Germany, and Scotland. The Alexanders are thus typical of the cosmopolitan origin of the Georgia settlers, as well as of the prevailing tendency to early marriages and large families (except in the too frequent instances of death in early maturity). The Alexanders and the letters they wrote are illustrative likewise of the combined gentleness and vigor of the social upper class. As Sarah Hillhouse's letter gives a glimpse of rough early conditions, so those of her great-grandchildren contain a quantity of unconscious data upon the life of the plantation gentry as well as upon war-time conditions. The book is full of the intimate, sincere family-talk of unpretentious gentle folk. Numerous pen-pictures occur, as of the giddy city life of Savannah in the flush times of 1818, of Saratoga Springs in 1841, of a rustic watering-place in western Georgia in 1846, of the dead town of Sunbury on the Georgia coast in 1853, of affectionate negroes (pp. 168, 177, 221-223), of the wedding of Robert Toombs's daughter to one of the Alexander brothers in 1853, of military life at West Point on the eve of the war, and of the battles of Fredericksburg and Gettysburg. All of these latter are from the pen of the late General E. P. Alexander, who was Longstreet's chief of artillery at Gettysburg

and the most distinguished member of this generally talented Alexander family. This descriptive material cannot be quoted in a review; but the vivid battle-dispatches (pp. 254-256) demand reprinting. They were all written at Gettysburg on July 3, 1863, within the two hours preceding Pickett's charge.

*1. Longstreet to Alexander, about noon.*

"Colonel. If the Artillery fire does not have the effect to drive off the enemy or greatly demoralize him, so as to make our effort pretty certain, I would prefer that you should not advise Gen. Pickett to make the charge. I shall rely a great deal upon your good judgment to determine the matter, and shall expect you to let Gen. Pickett know when the moment offers."

*2. Alexander to Longstreet, in reply to the above.*

"General. I will only be able to judge of the effect of our fire on the enemy by his return fire as his infantry is but little exposed to view, and the smoke will obscure the field. If, as I infer from your note, there is any alternative to this attack, it should be carefully considered before opening our fire, for it will take all the Arty ammunition we have left to test this one thoroughly and if result is unfavourable we will have none left for another effort and even if this is entirely successful it can only be so at a very bloody cost."

*3. Longstreet to Alexander, about 12:30 P. M.*

"Colonel. The intention is to advance the Inf: if the Arty has the desired effect of driving the enemy off, or, having other effect such as to warrant us in making the attack. When that moment arrives advise Gen. P. and of course advance such artillery as you can use in aiding the attack."

*4. Alexander to Longstreet, about 12:40 P. M.*

"General when our Arty fire is at its best, I will advise Gen Pickett to advance."

*5. Alexander to Pickett, 1:25 P. M.*

"General. If you are to advance at all, you must come at once, or we will not be able to support you as we ought. But the enemy's fire has not slackened materially, and there are 18 guns firing from the cemetery."

*6. Alexander to Pickett, 1:40 P. M.*

"To Genl Pickett. The 18 guns have been driven off. For God's sake come on quick or we cannot support you. Ammunition nearly out."

The volume contains very little contemporary description of actual plantation economy, for it was too familiar to call for description in family correspondence. To supply this lack in part Mrs. Cumming and Mrs. Hull, two of the six Alexander sisters, wrote in 1908 bits of their recollections; and these, which are scattered through the book, are among the most faithful plantation sketches in print.

The collection and editing of the documents by Miss Marion Boggs has been excellently done, as also the preparation by Mrs. George J. Baldwin of the genealogical material at the end of the volume. The

book has been handsomely printed by Mr. Baldwin for private distribution, in an edition limited to 131 copies. It is to be regretted that its accessibility is thus restricted; but those responsible for its production merit cordial thanks for the preservation and the circulation even though limited of the documents.

ULRICH B. PHILLIPS.

*Lincoln and Herndon.* By JOSEPH FORT NEWTON. (Cedar Rapids, Iowa: Torch Press. 1910. Pp. 367.)

WITH the initial sentiment expressed in the preface of this book everyone will agree: "whoso sends forth another Lincoln book must show cause why it should be read". Not everyone, however, will share the author's conviction that the present volume justifies its own existence by virtue of the new material which it contains, for while it throws considerable light upon the life and habits of the junior member of the law firm of Lincoln and Herndon, it fails to reveal any other Lincoln than the one whom Herndon delineated in his biography. It is somewhat regrettable that the author has allowed himself to be swerved from his original purpose, which was to portray Herndon as the friend, partner, and biographer of Lincoln, and has borrowed so copiously from other writers to depict Lincoln.

Between the years 1854 and 1859, Herndon maintained a rather one-sided correspondence with Theodore Parker, whose writings he had read with the greatest avidity and whose friendship he coveted earnestly. These letters written by Herndon, fifty-two in number, are printed in this volume for the first time, together with about a dozen letters from Parker. As a revelation of Herndon, they have considerable value, but they yield little or no new information about Lincoln. Herndon mentions his partner only a score of times; and his correspondent alludes to Lincoln but thrice. Many suggestive references to local politics occur in Herndon's letters. One of his fixed ideas, which may have some basis in fact, was his conviction that Greeley was responsible for Lincoln's defeat in the senatorial campaign of 1858. Greeley, Seward, Weed, and Douglas, Herndon<sup>s</sup> insists, met in Chicago in October of 1857 and entered upon an agreement whereby the New Yorkers were to support Douglas for the Senate and Douglas was to throw his influence in favor of Seward as candidate for the presidency in 1860. The replies of Parker to Herndon's outpourings were brief but kindly. There is no evidence that Parker shared Herndon's confidence in his law partner or divined Lincoln's real greatness. Both agreed, however, in cordial detestation of Douglas.

Although Herndon labored indefatigably for Lincoln's political preferment, he does not seem to have shaped appreciably the thinking of the older man on political issues. Indeed, in spite of their intimacy of twenty years in the law office, they lived separate lives. They owned a copy of Helper's *Impending Crisis*—the sensation of the year. Hern-

don marked many passages which counselled violent retribution upon the slave-owners; Lincoln indicated his conservatism by other markings or by erasures. Herndon was by temperament emotional and precipitate; Lincoln deliberately thought out his convictions. Herndon was an omnivorous reader; Lincoln read little but found endless diversion, and no doubt some instruction, in Herndon's chatter about all manner of things in heaven and on earth, for this disciple of Parker delved in both transcendental philosophy and science.

Not the least valuable part of this volume is the chapter on the Later Herndon—the biographer Herndon. Even while Lincoln was living, Herndon seems to have formed a purpose to write a life of his former partner. Soon after Lincoln's death, he gave a series of lectures on the martyred President, some of which found their way into print. He soon became a recognized authority on Lincoln. Biographers from far and near sought him out. Holland, Barrett, and Arnold, we are led to infer, received far more aid from him than their readers were allowed to suspect, while Lamon's life of Lincoln was based upon material which Herndon, fallen upon evil times, sold for two thousand dollars. Letters which Herndon wrote to Mr. Horace White in 1890 even aver that Chauncey F. Black, son of J. S. Black, wrote Lamon's book—"quite every word of it".

ALLEN JOHNSON.

*Stephen A. Douglas.* By HENRY PARKER WILLIS, Ph.D. [American Crisis Biographies.] (Philadelphia: George W. Jacobs and Company. 1910. Pp. 371.)

It is not an easy task to write a popular biography of so controversial a character as Stephen A. Douglas, for the average reader demands a straightforward narrative with bold high-lights, when faithful portraiture requires many half-tones. This latest biography of Douglas conforms to the general purpose of the *Crisis* series in that it gives a direct, simple account of his career on the national stage. The portrait is drawn with rather severe brush-strokes, for Professor Willis has little sympathy with either the character or the principles of Douglas and accepts without much questioning the traditional view of the great rival of Lincoln. The narrative is based frankly on secondary authorities.

The chief criticism of the reviewer concerns the attitude of the author toward his authorities. There is a regrettable tendency to disregard the relative historical values of the earlier biographies and to disparage the importance of original matter which has not fallen within his purview. Sheahan's *Life of Douglas*, for example, published in 1860 for the purposes of a political campaign, is characterized as "the most valuable biography" and "of especial use because it contains long extracts from Douglas's more important speeches as well as other documents supplied by Mr. Douglas himself". And this uncritical appraisal has led to a rather unfortunate reliance upon Sheahan for statements of



fact concerning Douglas's early life which are manifestly incorrect. Touching upon the sources of the Lincoln-Douglas debates, the author remarks that "contemporary newspaper matter is of comparatively little service during the period of the debates". He would surely have modified this statement, if he had consulted the latest and best edition of the debates (the Sparks edition).

There are many matters of interpretation in the book to which exception might be taken. Some of these are demonstrably unfair to Douglas; others are mere matter of opinion which cannot be discussed within the limits of this review. There are, however, certain errors which may not be passed over without comment. Some of these are of an anachronistic sort. Seward, Chase, and Sumner are described as "busy during the early fifties in organizing their great party" (p. 129). "Douglas understood by the end of November [1854] that the Kansas-Nebraska Act had created a tumult. . . ." (p. 225). Yet he had been burned in effigy and nearly mobbed in Chicago three months before. His position in the summer of 1856 is said to have been "rendered even more difficult" by the Dred Scott Decision (p. 237). Perhaps it is this anachronism which has led the author to state, without any evidence, that "the decision was a sorry blow" to him (p. 237).

More serious than these lapses, however, are some misapprehensions regarding matters of political history. It is stated that the Nebraska Bill "almost immediately became highly popular with the Southern element" (p. 193). The hesitation of many Southern leaders, on the contrary, is commented upon by newspaper correspondents. President Pierce endorsed "not only the Douglas bill but also the Dixon amendment" (p. 197). This Douglas bill, however, was the Kansas-Nebraska Bill which did not contain the Dixon amendment. By an odd slip, the author states that "the slave interest was stronger in the proposed territory of Nebraska than in Kansas" (p. 198). The first governor of Kansas was not Edwin but Andrew H. Reeder. The text does not make clear just what the people of Kansas voted upon in the summer of 1857—the Lecompton Constitution, the English bill, or the land ordinances (p. 254).

In general, this life of Douglas compares favorably with other volumes in the series, and it will doubtless call attention again to a much neglected figure in American politics.

ALLEN JOHNSON.

*William H. Seward.* By EDWARD EVERETT HALE, JR. [American Crisis Biographies.] (Philadelphia: George W. Jacobs and Company. 1910. Pp. 388.)

CONSIDERING style as the mere vehicle of expression, Professor Hale's *Seward* has the superior qualities of clearness and fluency; and his temper is excellent. As to method, he himself says that it is "somewhat irregular": he might have said more without risk of contradic-

tion. Some omissions and superficialities seriously increase the irregularities. Mastery of many vast fields of facts must precede analysis, and analysis must precede a correct exposition of the tangled threads of politics and statesmanship. And we find only slight evidences of that insight into politics and human character, which is a prerequisite of success with a hero like Seward.

For just twenty years Seward was continuously either United States Senator or Secretary of State. During all but the last four years he was among the few most important men of that period; and whose national career has been so persistently disputed about in regard to so many subjects? Although his public life in his state, where he was senator from Cayuga County and governor, each for four years—was comparatively unimportant, just one-half of the volume is given to it. Our author admits that he has not examined the Seward papers in Auburn. If he had, perhaps he would not put so much stress on the two fragments of Seward's correspondence, heretofore unused, but which do not seem to have disclosed anything of real value. The first half of the book would be improved if the 180 pages were reduced to 90 or 100. Then the author might have found time for more than superficial and misleading accounts of Seward's schemes and acts during the winter of 1860-1861 and the following spring. He ought at least to have given clear and correct summaries of the investigations of previous writers on Seward. The climax of irregularity is to be found in the fact that Seward's four years in Johnson's Cabinet are considered worth hardly a dozen pages.

There are some remarkable blunders. We are told: "There was no one living who had preceded him [Seward] as the champion of anti-slavery in public life" (p. 260). The author ought at least to have heard of his namesake, John P. Hale, who, as representative from New Hampshire, defied his state's instructions to vote for the annexation of Texas and, in January, 1845, wrote a letter against it; was consequently defeated for renomination; was in 1846 elected United States senator; and in 1847 was nominated for the presidency by the National Liberty Convention, but declined. In the campaign of 1848 Seward supported General Taylor, a slaveholder; and did not enter the United States Senate until March, 1849, where Hale had been active and daring for two years. What was David Wilmot if not a national antislavery man after he introduced his proviso, in 1846? And there were others.

Professor Hale quotes (pp. 292-293) from the *Life and Correspondence of J. T. Delane* (published in 1908) a long sentence from a letter from Palmerston to Delane, the editor of the London *Times*, about the interview with Adams, in which he says that the British law officers had been consulted and had given the decision that the British practice would allow the seizure of the *Trent*. Professor Hale considers this a discovery deserving special comment. It is really as startling as finding one's pocket-knife in one's own pocket. Whoever will turn to the *Life of Charles Francis Adams* (published in 1900), p. 221—in the same para-

graph from which Professor Hale (*Seward*, p. 291) has just quoted—will see Adams's full and almost verbatim statement of all the important points mentioned by Palmerston! An intelligent reading of the chapters on the *Trent* in Adams's *Adams* and in Bancroft's *Seward* should have made it easy to write a concise, accurate, and impartial account of that great incident.

Professor Hale's bibliography leaves unnoticed, or mentions in the vaguest manner, most of the books about Seward that ought to be particularly described, to aid ordinary readers. Nicolay and Hay, Rhodes, and others of equal quality are not considered worth mentioning. But newspapers of Cayuga County and of Albany, the *New York Tribune*, and the *London Times*, are paraded as if they were rich and previously untouched mines, now thoroughly used and giving much prestige; and the last, we are gravely told, "should always be consulted for any special incident, as that of the *Trent* or Gladstone's Newcastle speech" (376)!

*Reminiscences of the Geneva Tribunal of Arbitration, 1872. The Alabama Claims.* By FRANK WARREN HACKETT. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xvi, 450.)

MR. HACKETT'S volume, besides embodying his personal recollections of the Geneva Tribunal, gives a full and careful exposition of the international controversy which that tribunal was organized finally to determine. The arbitration at Geneva related to the claims which the government of the United States preferred against that of Great Britain for compensation for the losses caused by the depredations of the *Alabama* and other Confederate cruisers fitted out in British ports during the Civil War. The United States asserted that Great Britain had incurred a liability to pay these claims, while Great Britain denied it; and in this assertion and denial there were involved disputed questions of law as to the scope of a neutral's duties and disputed questions of fact as to the manner in which the British authorities had performed their obligations. By the Treaty of Washington of May 8, 1871, three rules were agreed upon as a definition of neutral duty, and for the application of these rules provision was made for the appointment of a board of arbitrators. This board, which met at Geneva, consisted of Charles Francis Adams, appointed by the United States; Sir Alexander Cockburn, Lord Chief Justice of England, appointed by Great Britain; and Count Sclopis, Mr. Staempfli, and Baron d'Itajubá, respectively appointed by the governments of Italy, Switzerland, and Brazil. Before this tribunal Bancroft Davis and Lord Tenterden respectively represented, as agents, the United States and Great Britain. Caleb Cushing, William M. Evarts, and Morrison R. Waite, afterwards Chief Justice, appeared as counsel for the United States; Sir Roundell Palmer, afterwards Lord Selborne, alone had the title of counsel for Great Britain, but was assisted by Messrs. Mountague Bernard and Arthur Cohen.

Mr. Hackett, who had then lately been admitted to the bar, was

invited by Mr. Cushing to accompany him to Geneva as his private secretary. He accepted the invitation, and, although he had not previously known Cushing, was of course soon brought into intimate relations with him. The descriptions which he gives of his chief, and of his conduct on various occasions, confirm our impressions of the extensive learning, wide culture, mental vivacity, and versatility of that interesting and remarkable man. In a similar manner, we are enabled to come into closer relations with the other actors in the drama, and especially so with Count Sclopis and Sir Alexander Cockburn, with Messrs. Davis, Evarts, and Waite, and with Lord Tenterden, as well as with certain attachés of the tribunal and with some of the journalists who were sent to Geneva to report its proceedings. Mr. Hackett was a close and intelligent observer, and as he went along made frequent notes which he has incorporated into his text. These tend to add to the substantial value of his reminiscences, since there is nothing more insecure than personal recollection unsupported and uncontrolled by contemporaneous records.

In the preparation of his volume, Mr. Hackett has had an opportunity to consult the unpublished correspondence in the Department of State, as well as certain papers of the late Bancroft Davis now in that department. These sources have, however, heretofore been used for the purpose of illustrating the public aspects of the transaction, and nothing has been disclosed of a nature substantially to change the weight of evidence as to those aspects. The fact is well known that the arbitration came to the brink of failure on account of the so-called "indirect" claims which were included in the case of the United States. Mr. Hackett says, on page 172: "The truth is, there was no ground whatever for the statement that the United States had waived this class of claims, and that they were not included in the submission of the treaty." This language is more extreme than that which the author employs in certain other places, and it is hardly necessary to go so far in order to maintain, as he does, that the claims were fairly to be considered as embraced by the terms of the submission. That they were so embraced, was the unquestionable understanding of the American negotiators of the treaty; the British negotiators, on the other hand, appear to have thought the contrary. It is no new thing for the negotiators of a treaty to hold contrary views as to its meaning; and especially is this the case with regard to delicate points, which they are likely to try to dispose of without employing such explicit words as may give a dangerous prominence to concessions. It is gratifying to observe that Mr. Hackett has fully disclosed the important part taken by Bancroft Davis in the litigation. He has also exhibited a just appreciation of the service rendered by the late Hamilton Fish, to his country and to the world, in the negotiation and preservation of the treaty. Mr. Hackett states (p. 65) that "Mr. Fish, upon motion of the British commissioners, was chosen presiding officer" of the Joint High Commission



by which the treaty was negotiated. The British commissioners did indeed make the proposal, but Mr. Fish declined it, being of opinion that the appointment of a presiding officer would entail unnecessary formality of procedure and obstruct the free and direct interchange of views.

J. B. MOORE.

*Storm van 's Gravesande: the Rise of British Guiana.* Compiled from his despatches by C. A. HARRIS, C.B., C.M.G., Chief Clerk, Colonial Office, and J. A. J. DE VILLIERS, of the British Museum. In two volumes. (London: Hakluyt Society. 1911. Pp. 1-372; 373-703.)

To all students of the history of European colonization, and not least to those who a decade or so ago were stirred to an interest in the story of Guiana by the boundary disputes of Great Britain with Venezuela and Brazil, these volumes will be welcome. In both those controversies and in the great lawsuits which ended them the editors of the present work had a notable share. To Mr. Harris, then as now Chief Clerk of the Colonial Office, must largely have fallen the preparation of the evidence for the British claims; and Mr. de Villiers, whose Huguenot name, though suggestive of one long eminent in English politics and diplomacy, bespeaks in his case an Africander origin, and who to his duties in the British Museum had not yet added the Honorary Secretaryship of the Hakluyt Society, was not only the translator of the Dutch documents used by Great Britain, but in great part their collector as well. The despatches which now they publish have therefore long been to them an object of study and in part have already seen the light in the blue-books and arguments of the boundary controversies. In these, however, there was room for only the passages cardinal to the points in dispute. It is from the broader point of view of the historian and the geographer that the correspondence of Storm van 's Gravesande is now laid under tribute.

What they give us is still, indeed, only a selection. So detailed are the governor's reports that, as now preserved in the British Record Office, they would, we are told, fill more than twenty volumes such as these. But though the editors offer us only a part, it is a part chosen by those who have minutely sifted the whole: and, as one who like them had once to wade through it all, the present reviewer may venture to commend their choice—though not without a regret that the story of administration and of commerce has left so little room for that of manners. They have enriched what they have given us by a half-volume of historical introduction, by maps and views, by a facsimile of Storm's astonishing handwriting, by helpful foot-notes and an excellent index.

It is not alone the accessibility of these documents to their English editors which explains their choice for publication. In all the sordid story of Dutch colonial exploitation no episode is richer in lessons than the career of this able and public-spirited governor, who in spite of

the neglect of his European superiors and the distrust or the jealousy of his colonial subordinates devoted his long life of service to a broad-minded and far-sighted policy which only history was to appreciate. An engineer, a soldier, a scholar, as well as a man of affairs, and withal a most human and likable neighbor and friend, he put the whole of himself into his thankless task, and the colony reaped manyfold the results. His editors have no whit exaggerated his merits or his difficulties, and, despite the palpable anachronism, it is hardly too much to call this record of the labors of the old Dutch governor, as do they, "the rise of British Guiana".

To those who know the earlier work of the editors it needs no saying that the translation is conscientious and vigorous. The annotations add much to our knowledge, and it is only when they venture too far afield that they can so err as (p. 344) to place the two Acadian forts mentioned by Storm in 1755 as just captured by the English "in the valley of the Ohio". It is an especial pleasure, too, to chronicle with what open minds, both in the notes and in the historical introduction, they often abandon claims maintained by English diplomacy in the heat of the boundary discussions and know how as scholars to profit even by the research of their old antagonists. Thus, to take but a single instance, the "Wild Coast" so persistently and (as it seemed to American critics) so wrongheadedly defined by the advocates of British claims as the stretch between the Orinoco and the Essequibo is frankly explained in these pages as "the coast between the Amazon and Orinoco", though not without making as much as possible of the looseness of speech by which the Zeelanders came sometimes to apply it to Essequibo alone, their own possession on this coast. It would, indeed, be too much to hope from human nature that writers whose part in that old controversy was so great should emancipate themselves wholly from its influence. There still spooks in their pages, though they are careful to admit (p. 72) that Storm never refers to such a post "and possibly had even lost the record of its existence", the "old post of 1685 in the Pariacot Savannah" (a savanna whose existence under such a name is as mythical as the post itself); and on their map this imaginary savanna is, as of old, given local habitation in that extreme west of the basin of the Cuyuni where it best suited British claims. This map, based on that prepared for Great Britain's case in the arbitration, is indeed much more tenacious of old claims than is the text. It still shows at the mouth of the Yuruari the fabulous "Dutch settlement" of 1750, which the historical introduction leaves wisely unmentioned, and confidently assigns the site which pleases it to the doubtful "Dutch Post before 1703", about which the introduction is equally silent. On the Barima, however, though the map shows still a "Site of Dutch Post 1684", it conscientiously adds "(Traditional)", while the introduction, with admirable caution and precision, says only: "By 1683 a further advance was made in placing a Company's officer at Barima, probably not at Barima Point itself but rather in the centre of the Barima district."

But the reviewer must not forget that as to these questions he too, while his interest in the controversy was never consciously that of a partisan, may fairly be suspected of a *parti pris*. He must, however, here take occasion to protest that the ascription to himself (p. 18) of a suggestion that the Pomeroon colony of 1658-1665 "was little more than a paper scheme" is so far from exact that he can find himself to have maintained only the precise opposite, quoting in his report to the American commission the contemporary testimony of Governor Byam (he believes he was the first to quote it) that it was "a most flourishing colony", and later pointing out in this magazine the fresh evidence as to its prosperity unearthed by British research at Veere. To the charge (p. 147) of attacking the credibility of Captain John Scott he must plead guilty; but, as his attack consisted only in calling attention to the verdicts of Scott's contemporaries and the difficulty of reconciling his statements with what is else known, it might have been more to the purpose to deal directly with these. He especially regrets that the editors have profited so little by the later researches of another American student, Mr. Samuel Oppenheim, whose well-documented studies on the history of the Jews in Guiana have opened new and serious problems for the defenders of Scott's accuracy.

Of the bearing of this work on the history of the conflicting claims in Guiana of Great Britain and Brazil the reviewer must not presume to speak with such assurance, though to these too he has devoted study and on them hopes some day to say a word. He will not doubt that to their interpretation of the passages bearing on these issues the editors have given as conscientious a revision as to those bearing on the western frontier; but he can not turn from this review without a plea that the future historian of Guiana may not accept even such matured conclusions without a fresh study for himself of the thick volumes of evidence and of argument in which, with an historical insight, a fairness of spirit, a self-respecting sincerity, rare in the political intercourse of nations, the case of Brazil was stated and urged by her spokesman in the proceedings for arbitration, the scholar and statesman who was later her ambassador at London and at Washington, Senhor Joaquim Nabuco.

GEORGE L. BURR.

#### MINOR NOTICES

*Plutarch's Cimon and Pericles, with the Funeral Oration of Pericles (Thucydides, ii, 35-46)*. Newly translated, with introduction and notes, by Bernadotte Perrin, Lampson Professor (Emeritus) of Greek Literature and History in Yale University. (New York, Charles Scribner's Sons, 1910, pp. xiii, 287.) The immense importance of Plutarch's *Lives* to the student of ancient history and their literary and dramatic charm, which has not aged or withered during eighteen centuries, are enough to justify the work of Professor Perrin in re-translating the lives of

Cimon and Pericles. The task of the translator is to interpret a classic in the literary style of his day that its ancient appeal may still be felt by his generation. New translations must therefore appear from time to time, better adapted to the changing standards and requirements of a new day; and they will usurp the place of the former ones. So lovers of Plutarch will find that Professor Perrin's version of the lives of Cimon and Pericles has supplanted the Dryden-Clough translation, satisfactory as it was, as did his *Themistocles and Aristides* published in 1901.

The introduction to the biographies includes an outline sketch of the Pentecontaëtia, an analysis of the two lives, and a thorough discussion of the intricate problem of the sources used by Plutarch in writing them. Of these the keen and discriminating treatment of the sources will be most useful to the student of history. The explanatory notes following each of the lives are the product of a fine and careful scholarship. At the end of the life of Pericles, Professor Perrin has added an admirable rendering of the funeral oration delivered by Pericles at the end of the first year of the Peloponnesian War (Thucydides, II., 35-46). A typical passage from this masterpiece (p. 169) will give sufficient evidence of the distinction of style and the nicety of translation characteristic of Professor Perrin's book:

"We need no Homer to sing our praises, nor any poet whose verses shall give fleeting delight, while his notion of the facts suffers at the hands of truth; nay, we have forced every sea and land to be pathways for our daring, and have everywhere established reminders of what our enmity or our friendship means, and they will abide forever. It was for such a city, then, that these dead warriors of ours so nobly gave their lives in battle; they deemed it their right not to be robbed of her, and every man who survives them should gladly toil in her behalf."

In the preface Professor Perrin states: "The third volume, the *Nicias and Alcibiades*, I think can follow soon, if my sight is spared to me." Every reader of this volume who has any feeling for the delicacy of workmanship displayed in it, will join the reviewer in the hope that the new volume may soon appear and be followed by others of the lives.

W. L. WESTERMANN.

*Annals of Caesar: a Critical Biography, with a Survey of the Sources.* By E. G. Sihler, Ph.D., Professor of the Latin Language and Literature in New York University. (New York, G. E. Stechert and Company, 1911, pp. ix, 330.) This essay is called a *Critical Biography*, and makes proper claim to be based on a careful study of the sources. It may be justly considered a work of deep research and honest scholarship, in many ways reflecting high credit upon its author; and it is no small misfortune that these qualities are offset by others, less favorable, which impair considerably the value of the whole work. Probably the trouble lies in the fact that the book is given us by one who is primarily a student of Latin, but who is attacking a problem which is strictly



historical. The work falls into twenty-five chapters, and of these, the preface asserts, all but two are "here presented substantially in the form and sequence of the lectures [by the author] on the 'Life and Letters of Julius Caesar'". College lectures, however excellent *in se*, seldom bear reproduction in book-form without extensive recasting, and this volume is no exception to the rule. There is a painful omission of everything partaking of literary grace. The style is always rugged. The statements of fact are often very bald. At times the arrangement of sentences and paragraphs reminds one of the unhappy traits of a typical German doctoral thesis.

As to the subject-matter, Professor Sihler proves with erudition that Julius Caesar was a surpassingly great, albeit a distinctly imperfect, man: a conclusion entirely just, but by no means unique. The treatment is everywhere conservative, and now and then one is tempted to wish that the author had allowed himself a little more amplitude in his discussion. The statement (pp. 67-71) of Caesar's part in Catiline's conspiracy is to say the least so meagre as to give a very imperfect setting to the whole story. Again the treatment of the Gallic wars seems to ignore the large contributions of recent French scholars to the subject. For instance, although there are references to the English work of Holmes, there appears no sign of the least use of such an obvious and standard authority as Bloch.

In the appendix the author makes a violent and rather interjectional attack upon the Caesar-worship of Mommsen and Froude. The latter has indeed not a few shortcomings to answer for, but it is neither dignified nor fair to describe his *Caesar* as "a semi-novelistic congeries of notions and judgments bred in Froude's fancy". The assault on Mommsen, which is hardly less measured, will provoke earnest dissent from the thousands of scholars who have learned to reverence one of the greatest historians who ever lived. Mommsen's view of Caesar may be wrong, but to call his whole history a "veritable incubus", and to devote six pages of fine type to ill-considered sneers at his views and genius will hardly add to the weight of Professor Sihler's volume. This is the more unfortunate because, if cast in a happier literary form and with less asperity of judgment, the book would hold a worthy place among recent works on Roman history.

WILLIAM STEARNS DAVIS.

*The Spirit of Power, as seen in the Christian Church in the Second Century.* By Ernest Arthur Edghill, M.A. (London and New York, Longmans, Green, and Company, 1910, pp. xi, 324.) Conventional church histories are often dominated by the sole purpose of constructing the growth of the dogmatic and administrative forms reached by the institution in its full historic development. From the early period they select such data as are related to the resultant form, obscuring or losing, by this selective interest, the life and substance of the Christian movement in its early plastic period. Our sources show that substance as

a personal and socialized life which laid hold on men by sovereign moral compulsion, the doctrinal conceptions being secondary and apologetic aids. Mr. Edghill, a lecturer in King's College, London, presents a useful study of this interior life of the Christian movement to show how the Church of the second century lived and grew in spiritual energy. What he modestly calls an impressionistic sketch deals with the regenerative moral power of Christianity, the spiritual power revealed in persecution, and the practical beneficence which elucidates the saying: "By this shall all men know that ye are my disciples, if ye love one another." The last section deals with the Christian treatment of women, children, slaves, prisoners, and the poor.

The reader finds both edification and vivid concrete information in this study and a correction of some partisan misrepresentations, as, for example, in the matter of Christian views about the pagan state and pagan virtue (pp. 68-69). The author has drawn directly from the sources, quoting them richly but not always using proper caution in the valuation of them. He seems to generalize too much from the African conditions pungently exhibited by Tertullian and even for Africa forgets that the rhetorical Tertullian was not a scientific social observer. From Justin's apologetic argument he develops the view that the persecutions were due to Jewish animosity and finds that animosity not only in the "envy" of I Clem. v., but in the envy which by Paul's account (Philippians i. 15) preached Christ. Mr. Edghill has much false rhetoric and succumbs to a vicious antithesis—the Church and the World. He conceives that from Nero's time the whole world was watching the Church and was bent on crushing it. This vitiates the treatment of the persecutions so far as the Roman governmental action is concerned. His indictment of the emperor is in any case not necessary to the purpose of his study.

There are occasional errors. The reference on page 87 should be to Rom. vii. The *ista civitas* of Tertullian *Ad Nat.*, I. 14, must refer to Rome, not Carthage (p. 135). Without the aid of Harnack's *Mission und Ausbreitung*, Mr. Edghill would not have achieved his book. It is regrettable that (p. 28) he misrepresents Harnack's caution in using Pliny's letter as an indication that the diffusion of Christianity in Bithynia is an unwelcome fact to the German historian.

*Beiträge zur Byzantinischen Kulturgeschichte am Ausgange des IV. Jahrhunderts, aus den Schriften des Johannes Chrysostomos.* Von Rev. J. Milton Vance, Dr. phil. (Jena). (Jena, G. Neuenhahn, 1907, pp. vi, 82.) This well-written dissertation for the doctorate in philosophy is an example of a method of work deserving to be followed more widely. It is a careful study of the theological works of a great Christian writer in order to obtain material for the historian of social life. Dr. Vance has gone systematically through all the very extensive works of Chrysostom with his eyes wide open for every reference that could be utilized. The amount of labor represented by these

smoothly written pages is very great. But a mass of valuable information is brought together with exact references to the original sources. To what extent the same method would be profitable in the case of other fathers it would be difficult to say. Chrysostom was singularly well placed as a mirror of the life of the times, having worked both in Antioch and in Constantinople, two of the principal cities of the Eastern Empire. His incidental references are therefore the more valuable as illustrating general custom. His allusions to every-day conditions must have been intelligible and substantially correct, otherwise they would not have served as illustrations. They may be therefore relied on for the most part. Another advantage in these illustrations and allusions is that they are absolutely contemporaneous and were recorded without any thought of their historical significance. That there are limitations to the use of a rhetorician's descriptions of contemporaneous social life the author points out. Chrysostom was a man immensely in earnest, even fanatical, and in the excitement of his oratorical delivery might easily have exaggerated. This, however, can be guarded against, as is pointed out, and the rhetorical bursts are generally evident to the reader. The book contains sections on varied topics. The most interesting are those on religion and family life. But there are also, in addition to pictures of imperial and court life and the army, accounts of the common life of rhetoricians and physicians, of the industrial world and the practice of agriculture, of sports and pastimes, the moral life of society, poverty and almsgiving, and slavery. These are all topics which are by no means clearly described in contemporaneous historical works or in the laws and other public regulations, and other sources commonly relied on for the knowledge of the more intimate life of society.

J. C. A. JR.

*La Connaissance de la Nature et du Monde au Moyen Age d'après quelques Écrits Français à l'Usage des Laïcs.* Par Ch.-V. Langlois. (Paris, Hachette et Cie, 1911, pp. xxiv, 400.) This is the third and last of a series of short works intended by their author to afford a precise idea of the ways of society in medieval France, and the knowledge (say rather, ignorance) of nature possessed by gentlemen. The two previous volumes were *La Société Française au XIII<sup>e</sup> Siècle d'après quelques Romans d'Aventure* (1904), and *La Vie en France au Moyen Age d'après quelques Moralistes du Temps* (1908). In the present one, Mr. Langlois says in his introduction, "mon but était de mettre sous les yeux du lecteur les documents les plus propres à procurer une connaissance générale, et l'impression précise, de ce qu'était l'état d'esprit des hommes du moyen âge qui n'étaient pas des savants (et celui des savants d'alors n'en différait guère) au sujet des choses de la nature".

He has given us six well-chosen examples of widely used works of popular instruction, chiefly upon the sensible things of the world of man's environment. They are the *Lapidaire* of Philippe de Thaon; the

*Image du Monde*, composed about the middle of the thirteenth century, and drawn in part from the *Imago Mundi* of Honorius of Autun; the *Propriétés des Choses* of Bartholomaeus Anglicus; the *Roman de Sidrach*; the dialogue of *Placides et Timeo*, or the *Livre des Secrets aux Philosophes*; and *Le Livre du Trésor* of Brunetto Latino, who as we know was the Florentine master of Dante, and wrote his book in French. Taken together these writings afford an idea of the natural knowledge current in the thirteenth century. Each one is introduced with a critical notice of its probable date and provenance; and its contents are given in condensed paraphrase, or occasionally in the words of the original. Mr. Langlois disclaims any intent of dealing with the history of the sciences in the Middle Ages, an immense domain which, as he says, is neither rich nor well cultivated. At first blush some of us perhaps would have preferred sketches or excerpts from the more learned, if not scientific, literature which was in Latin. Yet most of that also was unintelligently compiled from older writings, and had no greater value than these popular writings in the vernacular. The most enthusiastic of our medievalists are apt to balk at the study of the natural sciences in the Middle Ages.

HENRY OSBORN TAYLOR.

*The Making of Scotland.* Lectures on the War of Independence delivered in the University of Glasgow. By the Right Hon. Sir Herbert Maxwell, Bt., F.R.S., LL.D. (Glasgow, James MacLehose and Sons, 1911, pp. xi, 242.) In this volume the author addresses himself to the old problem of the feudal relation of Scotland to England in the Middle Ages. The first lecture is chiefly concerned with the question of homage and carries the discussion down to the death of the Maid of Norway in 1290. The following four lectures tell the story of English aggression and Scottish resistance to the truce of 1369. The series closes with a discussion of the subsequent border warfare. The author gives us a good, clear, and readable summary of the Scottish struggle for nationality; but it can in no sense be called an important contribution. Sir Herbert believes with Freeman and Skene that the cession of Strathclyde to Scotland in 945 implied feudal obligations for that region; but in general he supports the Scottish contention that the kings of Scotland did homage for English lands only, except during the brief period from 1175 to 1189, when the northern kingdom was in feudal dependence on England. The most remarkable thing about the book is the author's favorable attitude toward Edward I. He believes "that the whole trend of his policy toward the northern kingdom was pacific. . . . Edward never interfered actively with the government of Scotland until he was invited to do so by the leaders of both parties in the disputed succession" (p. 44). It was the anarchy across the border that forced him to undertake the conquest; after the conquest the Scotsmen who still resisted "technically had to be regarded as rebels" (p. 123). The success of the movement for independence the author ascribes chiefly to



ecclesiastical influence: the northern prelates could not endure the thought of submission to the primacy of York.

On the age of the Bruces Sir Herbert seems to be thoroughly informed; but in his discussion of earlier matters he is not always accurate. Eadgar became king in 1097, not in 1074. In tracing the history of the homage, the author overlooks Malcolm's oath to Cnut in 1031. Bernicia and Northumbria are not convertible terms (p. 8). And in the days of Stephen, Northumberland and Cumberland, though feudal possessions of the Scottish king, were not a "part of the Scottish realm" (p. 25).

LAURENCE M. LARSON.

*The Charters of the Borough of Southampton.* Edited, with introduction and notes, by H. W. Gidden, M.A. In two volumes. [Publications of the Southampton Record Society, edited by Professor F. J. C. Hearnshaw, M.A., LL.D.] (Southampton, Cox and Sharland, 1909, pp. xxv, 129; 242.) These volumes are prefaced by an introduction in which the editor traces Southampton's evolution as a town by means of its charters. The supply of material is "almost unique among the records of English boroughs". The first of the charters, which are presented in the original accompanied by translation, is by John, in 1199, but a charter of Richard II. quotes from charters of Henry II. and Richard I., of which the originals have been lost. ("Henry VI.," introd., p. vii, should read Richard II.) In John's charter the king's dues were compounded for £200.

In 1366 Edward III. granted certain imposts derived from port dues (quayage) to the town, at the rate of one penny in the pound, for repairing the walls. This revenue was probably large, for at this time the Genoese and Venetians, who carried on all the Levant trade, landed their goods at Southampton instead of making the longer journey to Calais. Southampton was exceeded in importance as a port only by London, contributing 21 ships and 576 men to Edward's French wars, while London contributed 25 ships and 662 men. The Genoese and Venetians exchanged their cargoes for "wool, hides, woolfells, lead, tin", etc. This trade flourished for some 150 years, but the charter of Edward VI. (1552) shows how sadly it had fallen off. The fee-farm of £200 was therefore reduced to £50, "provided, firstly, that the petty customs of the town do not amount to the required £200; secondly, that no carracks of Genoa nor galleys of Venice come to the port".

In 1445 Henry VI. granted the town a charter of incorporation. The right of succession is now vested, not as earlier in the burgesses and their *heirs*, but in the mayor, bailiffs, burgesses, and their *successors*.

The final charter was given by Charles I. in 1640 and continued in force till the Municipal Corporations Act of 1835. The "recall" is suggested in that the recorder and six aldermen could depose the mayor "for evil government"; and that the mayor, recorder, and six alder-

men could depose an alderman "for evil demeaning of himself". A new election was to be held by the burgesses within fifteen days.

One of the appendixes describes the penmanship, initial letters and other ornamentation, seals, coloring, etc., of the charters. Another gives a charter in French, in which Henry V. remits for ten years to the burgesses of Southampton £140 of the fee-farm of the town, assigned to Queen Joan of Navarre as part of her dower.

CHARLES T. WYCKOFF.

*The History of Parliamentary Taxation in England.* By Shepard Ashman Morgan, M.A. [Williams College David A. Wells Prize Essays.] (New York, Moffat, Yard, and Company, 1911, pp. xvii, 317.) We are informed in the preface that, this competition being confined to students and recent graduates of a college which offers no post-graduate instruction, "it is not intended to require original historical research, but rather to encourage a thoughtful handling of problems in political science". The author should have furnished us with a bibliography, or at least indicated the editions and texts of the works to which reference is made in the foot-notes. He follows Stubbs, Taswell-Langmead, and Cobbett's *Parliamentary History of England* so closely, however, that it is not difficult to trace his course, though he uses McKechnie to advantage on subjects connected with Magna Charta. The references indicate clearly the working value of Adams and Stephens's *Select Documents*. There does not appear to be any reference to Pollock and Maitland's *History of English Law*, and there is very little use of the later literature on the subject.

On two or three important subjects this failure to take advantage of further studies, made since Stubbs, has led the writer into error.

Although referring to two pages of Vinogradoff, he seems to retain the old impression that folkland was national or public land, instead of land held by individuals under folk-right, not to be alienated from the community of the kindred except by consent of the king and witan.

Again, in regard to scutage, although he refers to two pages of Baldwin's scholarly essay on the subject, he speaks of it as "a money payment in lieu of service because it was convenient to both of them, and the barons were relieved, if so they pleased, of the burden of military service". As a matter of fact, there could be no voluntary commutation of military service. In cases where the scutage was paid by those holding knights' fees, or by the minor tenants-in-chief, they did not have free option. The king determined whether he would allow them to pay scutage.

The work comprises seven chapters beginning with the Saxon period, the larger part of the book tracing the transfer of the taxing authority from the king in the twelfth century to the final establishment of Parliamentary authority by the Bill of Rights. Considerable attention is given to the tax on wool and a brief outline of its history is given.

The appropriation of supplies and the audit of accounts do not receive the attention they deserve.

The subjects of the paragraphs are noted in the margins, which are wide and well adapted for annotation, except that the paper will not take ink.

CHARLES L. WELLS.

*Das Formelbuch des Heinrich Bucglant: an die Päpstliche Kurie in Avignon gerichtete Suppliken aus der ersten Hälfte des 14. Jahrhunderts.* Herausgegeben von J. Schwalm. (Hamburg, Lucas Gräfe, 1910, pp. xlv, 188.) An element of some importance at the papal court in the later Middle Ages was the body of agents and go-betweens of various sorts who made a living out of the great number of petitioners and penitents whose ignorance of the language and practice of the Curia compelled them to rely on the assistance of such local experts. Several men of this class were employed by the city council of Hamburg in the course of its protracted controversies with the cathedral chapter, and one of these, Heinrich Bucglant, took advantage of his long residence at Avignon to copy actual forms of petitions to the pope which had come under his notice and seemed worth preserving as models for future use. His original manuscript is preserved in the Stadtbibliothek at Hamburg and has been edited by Dr. Schwalm with the care and learning which are to be expected of him. The persons and facts mentioned have been followed up at the Vatican and in various local archives, and various pertinent problems examined. Except for a very brief set of forms from *ca.* 1225, this is the earliest formulary of petitions so far known, and besides illustrating with some fulness the methods of intercourse with the Curia in the first half of the fourteenth century, it throws light upon various matters of local, especially German, history. Facsimiles are given, and other forms from manuscripts in Erfurt and Turin are printed in the appendix. It is to be hoped that this publication will call renewed attention to the study of petitions, which by reason of the fulness with which they often state their case, frequently contain valuable information omitted from the documents based upon them.

C. H. H.

*Les Comtes de Savoie et les Rois de France pendant la Guerre de Cent Ans (1329-1391).* Par Jean Cordey, Docteur ès Lettres. [Bibliothèque de l'École des Hautes Études.] Paris, Honoré Champion, 1911, pp. xvi, 391.) This monograph is both sequel and supplement to M. Paul Fournier's *Le Royaume d'Arles et de Vienne (1138-1378)*. It is a chapter in the history of the slow extension of French influence during the fourteenth century over the southeastern feudatories, of whom the counts of Dauphiné and Savoy were the greatest. In the twelfth and thirteenth centuries English ascendancy was uppermost in Savoy, owing to the ambitious continental policy of Henry II. and the marriage

of Henry III. to Eleanor of Savoy. But in the fourteenth century French influence began to dominate. The Count of Savoy had two country houses near Paris and a hôtel in the city. The Hundred Years' War was the turning point of Savoyard policy. Amédée V. fought in Flanders for Edward I. against Philip IV. His son married Blanche of Burgundy, a granddaughter of St. Louis, and Edward III. could not draw him into the network of English allies he tried to weave around France. In the great years of Crecy, Poitiers, and Roosebeke Savoyard knights are found fighting for the French king. The ravages of the Free Companies in Burgundy and in the Rhone Valley were a potent factor in making Savoy incline to the French crown; chapters ix.-x., *La Lutte contre les Grands Compagnies (1360-1381)*, are among the most interesting in the book. But Savoy paid dearly for the price of French protection. The acquisition of Dauphiné in 1349 closed the Rhone to Savoyard ambition to reach the Mediterranean and is the point of departure of Savoy's Italian policy. From the point of view of general European history the ninth chapter, dealing with the beginnings of this policy, is the most valuable. M. Cordey has thoroughly explored the archives at Chambéry, Turin, Grenoble, Geneva, Lausanne, and Paris. Nearly one-half the volume is composed of *pièces justificatives*. The bibliography is very full.

J. W. T.

*Die Anfänge Karls V.* Von Andreas Walther. (Leipzig, Duncker and Humblot, 1911, pp. xiii, 258.) The title is a misnomer for the actual thesis of this little work. The author does not discuss the beginnings of the reign of the Emperor Charles V. but devotes his whole space to a consideration of the influences at work during the minority of the boy Charles of Austria. He lays stress, perhaps overconfidently, on the peculiar weight and value of the various persons engaged in the administration of Netherland affairs during the first two decades of the sixteenth century, which were also the first two decades of the life of the future emperor, decades almost completely anterior to the imperial election. The author has already published a suggestive little book entitled *Burgundische Zentralbehörden* as the fruit of his researches at Lille among the papers of Margaret of Austria and the financial accounts of the Burgundian administration. The present book is based on the same sources and contains, moreover, as an appendix thirty-five unedited letters from Margaret's correspondence.

It is easy to concede the truth of the statement that the epoch in question was the close of medieval feudalism as well as the end of the independent existence of the Burgundian state, as far as it was a state. The local feudal authority of the Netherland nobles, reasserted after the cessation of the centralizing efforts of Charles the Bold, held sway in opposition to regents and duke until the majesty of Burgundy as such was clouded by that of Spain and finally overshadowed by the imperial dignity of its duke. In the light of his conviction that state policies



cannot be understood without a comprehension of the personalities that lie behind any vague terms such as "England", "Germany", or even "Charles V.", the author gives several character-sketches, the best being those of Chièvres, of Gattinara, and of the Infant Charles himself. Chièvres is perhaps rated higher than that astute member of the Croy family wholly deserves, while the last summary possibly underrates the boy, although each allegation is carefully attested. It certainly shows insight into childish traits to say in speaking of Chièvres and his ascendancy over Charles that the Infant was alienated from his aunt and grandfather by their wrangles over him and turned confidingly to the calm atmosphere of the conservative Fleming. That children hate uncertainty of moods and temper and are, as a rule, innately conservative is not always understood. Nevertheless it is questionable whether the trend of affairs at that crisis would have been different had Charles set his affections elsewhere. Here again is over-stress on individual weight.

There are other little human touches showing originality of conception on the part of the author, but his two-hundred-odd pages give too brief a space for all that he attempts to crowd into it, and the book is hard reading even while the reader appreciates the industry and enthusiasm that have entered into its making. But it should not be neglected by any student of the period.

*Sixtine Rome.* By J. A. F. Orbaan, D.Ph. (London, Constable and Company, 1910, pp. viii, 295.) The writer of this book made very laborious and careful preparation for it. He read the primary sources in print and the best secondary works, including a number of rare books not easy to find outside of the Roman libraries of which he talks with the affection of one who knows. He studied many contemporary manuscripts and made extracts from them. He thus collected a mass of valuable notes on points connected with Sixtus V. and the architectural changes he made in Rome. This material he started to use in a popular book on Rome as that great pope found it and as he left it. In an imaginative opening passage, he suggested how the subject came to him before a wood fire in his room over a few portfolios of engravings and then led his reader out on a walk to Porta Furba to show him one of "the many Romes in Rome". For seventy pages he stuck to the task of molding his notes into a book, and then he apparently grew tired of it. The remainder of the book may be not unfairly characterized as a rather miscellaneous mass of excellent notes interspersed with interesting remarks. Many of these notes seem to be dropped into the text at hazard and entirely unchanged from the book or card where they were recorded. A marked instance is a sentence on page 277 without a verb.

This way of making a book produces a most baffling effect on the mind of the reader. If there were space, several causes of this might be pointed out. The chief one is the astonishing carelessness of the writer about the arrangement and the succession of his topics. For

instance, in the middle of a description of the frescos of the Vatican Library, he suddenly tumbles in five pages of notes on the following subjects: the physicians of Sixtus V.; the book one of them wrote; the introduction of tobacco into Italy; Italian quarantine; druggists of the times. Sixtus's laws against gambling, including an account of gambling on papal elections; astrology; some remarks about Roman food recorded by a Dutchman who visited Rome in 1588; ditto about the fact that women were not to be kissed in Italy as in Holland; the remarks of Bartolomeo Catena about shaving. Then the author suddenly returns to the frescos of the Vatican Library, and the reader wonders where he is.

Sixtine Rome is full of interesting things. But, when Mr. Orbaan writes his next book, and it is to be hoped that will be soon, he ought to feel sure before he begins, that the labor of turning notes into a book is as severe as the labor of collecting them, and, if he is to find the readers his learning and enthusiasm deserve, he must not shirk it. In spite of its defects this book will do for readers what the author hopes: "convert them from the opinion that, in Rome, there are only ruins and statues and the Renaissance, and nothing after it until Bernini".

PAUL VAN DYKE.

*Nicolas Caussin, Confesseur de Louis XIII., et le Cardinal de Richelieu.* Par le P. Camille de Rochemonteix, de la Compagnie de Jésus. (Paris, Picard, 1911, pp. xx, 447.) No one needs to be told that certain characteristics and tendencies of thought within the Church of Rome to-day are of deepest interest and importance. Their bearing upon Catholic historiography has been recently manifested in a number of notable works, *e. g.*, Denifle, *Luther und Lutherthum in der ersten Entwicklung*, and Fouquieray, *Histoire de la Compagnie de Jésus en France*. The book of Father Camille de Rochemonteix is of the same class. In reading it one seems to be translated back into the days of the Holy League and the reactionism of the reign of Louis XIII. which Richelieu so resolutely combated.

The French Church in the first half of the seventeenth century has much to its credit, but it is the unfortunate characteristic of religious passion that it develops a Torquemada, as well as a St. Francis. Ideas, like the body, suffer from ailments which poison or pervert, and side by side with much that is good, French Catholicism of the seventeenth century developed abnormal moral and mental qualities. Richelieu is the storm-centre of these currents. The cardinal was not a Catholic in the sense of Rome and the Jesuits, nor a Gallican in the sense that the parlementarians and the University were; and his treatment of the Huguenots pleased neither Gallicans, Ultramontanes, or Huguenots. His policy consisted in holding the balance equal between all parties.

History has passed its verdict upon the general justice and statesmanship of Richelieu's ideas. Since the publication of his *Correspondance*, by M. Avenel, there is less reason than ever to doubt. But

modern Catholic obscurantism refuses so to interpret history. This history of the father-confessor of Louis XIII. is not a biography, but the history of an episode in his life extending from his appointment in 1637 to his disgrace in 1643. The author's thesis is that P. Caussin was the victim of the cardinal's malice and that the story told of his conduct, as sober historians have interpreted it, has "la force indestructible de la légende".

Besides the sources which everybody knows, the author has used the voluminous unpublished Latin correspondence of Caussin—letters "interminably long and pedantic" we are told, yet still exhaling "un parfum de sincérité vraie". The same implicit confidence is reposed in the *Mémoires* of Madame de Motteville, while the cardinal's *Mémoires* are overwhelmed with scorn and opprobrium. It is difficult for a lay—may I say an unprejudiced?—student of French history to read this work with patience. Marie de' Medici is a wronged woman throughout; Gaston of Orleans, whose intrigues shook the throne, is drawn in heroic lines; Richelieu's statesmanlike treatment of the Huguenots is violently censured; his foreign policy—the French alliance with Holland and Sweden—excoriated as "la ruine entière de la religion"; the estrangement between Louis XIII. and the queen is ascribed to the cardinal. Caussin is compared to Ambrose of Milan defying Theodosius and the admiration of the reader for the confessor's zeal, courage, and disinterestedness is assumed "sans doute".

J. W. T.

*Rome et le Clergé Français sous la Constituante: La Constitution Civile du Clergé, L'Affaire d'Avignon.* By Albert Mathiez, Professeur au Lycée Voltaire, Docteur ès Lettres. (Paris, Armand Colin, 1911, pp. 533.) The aim of this book is to show that the Civil Constitution of the Clergy was not doomed from the beginning as ecclesiastically impossible. If the plan of reform proved to be a fertile source of dissension, the fault, to the mind of M. Mathiez, does not rest with the Constituents who made the law, but with the pope who eventually refused to allow the clergy to submit to its provisions, and who, meanwhile, maintained an equivocal silence. The cause of this silence M. Mathiez finds in the vicissitudes of the revolution in Avignon, a situation rendered peculiarly difficult by the danger of French intervention or of annexation.

M. Mathiez has renewed the study of a familiar subject by shifting the emphasis from the contrast between the terms of the law and ecclesiastical practice to the effort made by a large and influential group of prelates to "baptize" the Constitution, in other words, to make it canonically regular. The leaders of the group were the archbishops of Aix, Vienne, and Bordeaux, of whom the two last were members of the king's council. The Comte de Montmorin, minister of foreign affairs, sought to co-operate by acting on the pope, unfortunately through the medium of Cardinal Bernis, the French ambassa-

dor, who was hostile. If the pope consented, the means were simple. He might authorize the new circumscription of dioceses, and request the resignations of the bishops whose dioceses had been absorbed, or he might authorize them to delegate their canonical authority to their successors.

"Quel triomphe si on parvenait à obtenir de Rome elle-même la consécration de la réforme religieuse qui supprimait en France le pouvoir de Rome!" This remark of M. Mathiez, with a different application, reveals the futility of such efforts. It was not a genuine compromise that was asked of the pope, but a surrender. The Constituents plainly announced that they would make no concessions. Is it surprising that the pope did not simplify the task of his enemies by openly and immediately condemning the Civil Constitution of the Clergy, and that he merely warned the king and the archbishops of the council privately that the enforcement of the law would lead France into schism?

M. Mathiez has succeeded in proving that a majority of the clergy was ready to acquiesce in the new arrangements and he has explained clearly the influence which the revolution at Avignon exercised on the course of events. This is an important service to the discussion of the subject. But he apparently fails to appreciate the humor of being indignant at the pope for not facilitating the ruin of his power, and his references to the writers in sympathy with the Church seem unnecessarily contemptuous.

HENRY E. BOURNE.

*Les Négociations de Lille (1797)*. Par Charles Ballot, Agrégé d'Histoire et Géographie. [Bibliothèque d'Histoire Moderne, tome III., fascicule II.] (Paris, Édouard Cornély et Compagnie, 1910, pp. 355.) In a bibliography of thirty-five pages, the author states the material from which he has drawn his account of the fruitless negotiations of Lille, an English-French negotiation for peace, occupying a few months in the summer of 1797. His researches have been extraordinary, including not only all the documentary evidence in the British and French archives, but every available printed work. The result is an extreme illustration of minute historical investigation. There is, however, a larger aspect to this particular study. Some six or seven years ago French historical critics began to question the accuracy of Sorel's great work, *L'Europe et la Révolution Française*, in its presentation of English diplomacy and international policy. Sorel's thesis was that at no time did Pitt sincerely desire peace, and that never was he ready to consent by treaty to a French acquisition of the Austrian Netherlands. Mr. Ballot does not, indeed, make Sorel's error the theme of his book, but that error gave the opportunity for producing conclusive proof of England's anxiety for peace in 1797, and her readiness to make almost any sacrifices, provided only she retained some portion of her colonial conquests from the allies of France.

No brief review can indicate the points elucidated in the author's



analysis. Every step of the negotiation, whether at Lille, at London, or at Paris, is described in detail, with pertinent quotations from diplomatic correspondence, newspaper comment, legislative debates, and private letters. The controversy within the English cabinet, between the factions of Grenville and of Pitt, is made clear (though with less credit to the influence of Grenville than the reviewer thinks justified), while much new light is thrown on a similar conflict being waged in the French Directory. It is of interest that one of the documents upon which Mr. Ballot places greatest emphasis—which is, indeed, the keystone of his thesis as to English intentions at Lille—was printed in the REVIEW for July, 1905, as the best possible evidence of the error in Sorel's conclusions. This document, with many others, is given in French translation in the present work. The author should have been content with translation, for, while there are not many English quotations, nearly every one contains some absurd error—such as “egger” and “shrinking” (p. 142) for “eager” and “shrinking”. This is the more regrettable since the work as a whole is an excellent example of scholarly historical investigation in a minute field.

E. D. ADAMS.

*Paris sous Napoléon: Le Théâtre-Français.* Par L. de Lanzac de Laborie. (Paris, Plon-Nourrit, 1911, pp. iv, 334.) This volume maintains fully the high standard of its six predecessors in the series which have been reviewed in this journal (XIV. 127-131, 581-583; XV. 860-861). Only the Théâtre Français and, in a single chapter, the Théâtre de l'Impératrice (Odéon), are dealt with in this volume, the other theatres and the operas being left for later treatment. The admirable documentation is continued in the use of a wealth of material from the Archives Nationales, the archives of the Comédie-Française, Aulard's *Paris sous le Consulat*, Laugier's *Documents Historiques sur la Comédie-Française*, and Napoleon's *Correspondance*. Geoffroy's feuilletons in the *Journal des Débats* (after 1805, *Journal de l'Empire*) and Stendhal's private *Journal* yield many interesting criticisms and anecdotes of plays and players. The memoirs of Madame de Rémusat, whose husband was “surintendant des spectacles”; of Legouvé, whose uncle, Mahéault, was “commissaire du gouvernement près le Théâtre de la République”; of Mademoiselle George, the actress; the numerous volumes of Masson; and De Manne's *La Troupe de Talma*, are the most important of the many other writings cited.

In life, both real and mimic, tragedy held sway; in the one Bonaparte was the self-conscious master, in the other, Talma. Not infrequently the Parisian was more absorbed in the rivalries of the queens of tragedy, Mesdemoiselles George and Duchesnois, than in the rivalries of Napoleon and Alexander. Lafon, Monvel, Madame Talma, Mesdemoiselles Bourgoin, Raucourt, and Volnais, in tragedy; and in comedy Molé, Fleury, Dazincourt, Dugazon, Mesdemoiselles Contat, Leverd, and Mars (daughter of Monvel), are the other members of the

troupe selected for special accounts. Corneille, Racine, and Voltaire; Molière, Marivaux, and Beaumarchais continued to furnish a large proportion of the repertoire. Shakespeare's *Othello*, *Macbeth*, and *Hamlet* were warped into French by Ducis for occasional use. Lafosse's *Manlius* furnished Talma his favorite rôle. Novelties were few, and rarely did one please both the imperial and the popular taste. Raynouard's *Templiers* (1805) was perhaps the most successful tragedy, and Étienne's *Deux Gendres* (1810) was certainly the only comedy of any merit to succeed. The troupe were summoned not only to furnish court performances at the Tuileries, Saint-Cloud, Fontainebleau, and Compiègne, but also to furnish suitable accompaniment for great affairs of state at Lyons in 1802; Brussels, 1803; Mayence, 1804; Erfurt, 1808; and Dresden, 1813. There is also some account of the building, the organization, the finances, the audience, and the governmental supervision of the Comédie. Certain administrative decrees, including the famous decree of Moscow, which are dismissed with passing mentions, should have been printed as appendices. When the final volume of this valuable work is published, we beseech the author to include an index of the whole series.

GEORGE MATTHEW DUTCHER.

*Lady John Russell: a Memoir, with Selections from her Diaries and Correspondence.* Edited by Desmond MacCarthy and Agatha Russell. (New York, John Lane Company, 1911, pp. xi, 325.) On at least three good grounds a most cordial welcome is assured for the excellently edited memoir of Lady John Russell. Lady Russell's letters and diaries constitute the larger part of the volume. They supplement to an appreciable degree Spencer Walpole's *Life of Lord John Russell* which was published in 1891, and also to a less degree Morley's *Life of Gladstone*, and they carry some of the correspondence of Queen Victoria beyond 1861, the year at which it stops in Mr. A. C. Benson and Viscount Esher's *Letters of Queen Victoria*. This is one of the grounds on which students of English politics in the nineteenth century will welcome the Russell memoir. A second ground on which a wider welcome will be given lies in the personality of Lady John Russell—surely one of the strongest and most lovable women ever behind the scene in English nineteenth-century politics; while a third ground for welcome lies in the charm and literary value of the letters themselves—letters which for a generation to come are likely to be read by men and women all over the Anglo-Saxon world who are indifferent to Lord John Russell's place in English history and care nothing for the cause of political and religious freedom to which his public life was so long devoted. Lady John Russell, who was of the Elliots of Minto, and consequently a Scotchwoman, was born in 1815. She was Russell's second wife. The marriage was in July, 1841. The correspondence and diaries—at least such as have political value—accordingly begin in 1841, when Russell was one of the members for the City of London, and

Secretary of State for the Colonies in the Melbourne administration of 1835-1841. Russell, who survived until 1878, retired in 1866. But the letters and fragmentary diaries continue until near the time of Lady Russell's death in 1898. Those of the years after 1866—especially those of 1870, when the Forster Education Act was before Parliament—are of value as showing the intensity to the last of Russell's convictions with regard to religious equality, and also for the insight they give into conditions at the time of the Liberal split over Home Rule in 1886, and at the second crisis in the history of the Home Rule Liberal party in November, 1890, due to Parnell's appearance in the divorce court. The letters will enhance Russell's fame, which seemed to suffer a little in the light of Queen Victoria's letters from 1837 to 1861. Moreover they have the unique distinction of being the only volume of letters from within the household of a nineteenth-century prime minister.

E. P.

*Historical and Political Essays.* By William Edward Hartpole Lecky. (London and New York, Longmans, Green and Company, 1910, pp. 296. New edition.) The essays contained in this little volume have all appeared in the form of public addresses or as magazine articles. The "Thoughts on History" appeared originally as "The Art of Writing History" in the *Forum*; "Formative Influences", a sketch of the men and books that most influenced Mr. Lecky in early life, "Madame de Stael", a review of Lady Blennerhassett's *Life of Madame de Stael*, "Israel among the Nations", a review of Anatole Leroy-Beaulieu's book of that title, and "Old Age Pensions", appeared likewise in the *Forum*. "Ireland in the Light of History" originally appeared in the *North American Review*, and the essays on Peel, Henry Reeve, and Dean Milman in the *Edinburgh*; the "Queen Victoria" in the *Pall Mall*, and "Carlyle's Message" in the *Contemporary*. The "Political Value of History" and "The Empire" were delivered as addresses, while the essay on the Earl of Derby was written as an introduction to the *Letters and Speeches* of that statesman. Before his death Mr. Lecky began to revise those of his occasional addresses and essays which he considered worthy of publication in book form; only four of the essays in the present volume, however, were revised by his hand. The volume illustrates Mr. Lecky's intellectual characteristics and embodies his well-known views. Judicious and moderate, he avoided all extremes; practical and empirical in his point of view, he had a strong distaste for all hard and fast theories; at once conservative and liberal, he feared democracy, detested the demagogue, and had a genuine contempt for the extravagance and low moral tone of modern plutocratic society; appreciating intellectual power, he yet felt that strong moral qualities were of much higher value. It is characteristic, therefore, that he takes middle ground, in his essay on "History", between extreme theories, such as those of Buckle on the

one hand and those of Carlyle on the other. Of Carlyle's insistence on character and moral worth he has, nevertheless, a very keen appreciation, and he writes with the greatest sympathy of such strong, simple, lovable men as Reeve and Milman, and such morally inflexible and upright men as Peel. The essay on "History" is the least able of any of the essays, presenting for the most part only the more commonplace maxims. The "Formative Influences" is perhaps the most interesting, the essay on Peel the most important for the historian, while those which were written, we suspect, most gladly, which are at least most effectively written, are the sympathetic appreciations of Henry Reeve, Dean Milman, and Queen Victoria.

CARL BECKER.

*Public Ownership of Telephones on the Continent of Europe.* By A. N. Holcombe, Ph.D., Instructor in Government in Harvard University. [Harvard Economic Studies, volume VI.] (Boston and New York, Houghton Mifflin Company, 1911, pp. xx, 482.) This is the sixth volume in the *Harvard Economic Studies*. It gives a detailed history of the development and administration of the telephone business in Germany, Switzerland, and France; and presents a brief account of the service in Belgium, Holland, Austria-Hungary, Italy, Norway, Sweden, Denmark, and Spain. The policy of all European countries towards the telephone having been largely influenced by the government ownership of the telegraph, the introductory chapter of Dr. Holcombe's book is upon the Origin of the European State Telegraphs. Two-fifths of the volume is devoted to the German telephone service; another two-fifths to Switzerland and France; the other countries are summarily considered in two chapters; and the last three chapters of the book are concerned with Comparative Telephone Development, and the Economy of Public Ownership.

The method of treatment, in the case of each country, is to give a history of the origin and development of the service, and then to explain and estimate the rate-policy. The sections dealing with Germany, Switzerland, and France each end with a chapter upon the labor situation in the telephone service. Comparisons of European countries with each other and with the United States are reserved to the concluding chapters of the volume.

The book is replete with information concisely and ably presented. Only a few of the author's generalizations and conclusions may be referred to in this brief review. "The only European countries of importance in which the public authorities have not yet engaged in the telephone exchange business are Denmark and Spain." "Underlying all the diverse arguments and local events that led to public ownership in these countries . . . was the ownership of the telegraphs by the government. No country was able to retain the possession of its telegraph system, and at the same time leave the telephone in alien hands. . . . It was compelled to acquire the telephone." The author, however,



does not assert that the experience of Europe is conclusive in favor of government ownership and operation of telephones. "The historical truth is that the policy of private ownership under public regulation never had a fair trial."

Dr. Holcombe finds that "The greatest European telephone system, and on the whole, when all the circumstances are taken into consideration, the best, is that of Germany"; but "It is to Switzerland that we must turn for the most smoothly-working public business organization". The budgetary system of France and the frequent changes in the cabinet have proven a handicap to the development of the state telephone service in that country.

The volume is a thoroughly commendable work. The author has a good grasp, not only of the details of his subject, but also of the workings of political institutions and of the literature of economics; his judgments are conservative and sane, and the book gives a clear and reliable account of the results of government administration of an important public utility.

EMORY R. JOHNSON.

*The American Year Book: a Record of Events and Progress, 1910.* Edited by S. N. D. North, LL.D. (New York and London, D. Appleton and Company, 1911, pp. xx, 867.) This publication is the first volume in what is expected to be an annual series. It has been awaited with interest and some eagerness. The promises made by the men who projected it have been fulfilled. Another useful and trustworthy book of reference has been made for which space will easily be found on a convenient shelf. This *Year Book* will undertake to be "a record of events and progress". It is intended for the needs of writers and searchers of every kind. In his work as editor Dr. S. N. D. North has been under the direction of a supervisory board representing national and learned societies. The members of the executive committee of this supervisory board are: Albert Bushnell Hart, chairman; William M. Davis, Hastings Hornell Hart, George H. Kirchwey, Alexander Lambert, Calvin W. Rice, and John C. Rolfe.

The book is arranged in nine great divisions relating to Comparative Statistics, History and Law, Government and Administration, Functions of Government, Economic and Social Questions, Industries and Occupations, Science and Engineering, the Humanities, and Current Record. There are ninety-two contributors to the present volume, all of whom may properly be considered experts in their subjects.

In the section devoted to history Professor Albert Bushnell Hart has successfully carried out his declared resolve to "seize upon the fugitive events of the last twelve months, group them together, show what were the publicly expressed motives of statesmen, point out the directions in which public sentiment is moving, and put into form for reference, and later comparison year by year, the most important political and governmental incidents". His verdict after reviewing the

record of a year's participation of the President in the life of the people is that "President Taft has attempted to combine the functions of administration, legislation, party chieftain, and man of the people". More space properly might have been devoted to Governor Wilson's campaign for election in New Jersey.

Marcus Benjamin reviews the year of current political history in Great Britain, and Dr. North does the same service for the British dependencies. Albert Hale writes a brief review of Latin America. Under the subdivision, International Relations, Dr. James Brown Scott reviews the growth of internationalism, and in another article sums up the events of 1910 in Japan that have a distinctly international character.

Each department in the *Year Book* is supplemented by a brief bibliography of the subject. No errors of fact or important omissions have been noted. One wishes that the editors might have felt that they had sufficient space to write President Taft, Senator Lodge, Secretary Knox, etc., rather than Pres. Taft, Sen. Lodge, Sec. Knox. How completely the events of 1910 have been covered in this volume may be judged by the record of the Carnegie Peace Fund and its trustees, which was not announced until the middle of December of that year. What marks of hasty compilation the book necessarily bears do not mar its value.

*Publications of the Colonial Society of Massachusetts.* Volume XII. (Boston, the Society, 1911, pp. xix, 458.) This volume contains the transactions of the society at the meetings of the two years 1908 and 1909. It has the usual handsome exterior, with portraits of several deceased members, of whom memoirs are included in the volume, and with other well executed illustrations, mostly either portraits or facsimiles. The most important papers are the following: by Mr. Andrew McF. Davis on John Harvard's Life in America, a dissertation on the social and political life of New England in the years 1637 and 1638, and on Hints of Contemporary Life in the Writings of Thomas Shepard; by Hon. Simeon E. Baldwin on the Secession of Springfield from Connecticut; by Mr. Horace E. Ware on Winthrop's Course across the Atlantic, on the Kirke incident in that voyage, and on a Forgotten Prime Meridian, namely, that of the island of St. Michael in the Azores, chosen because of supposed identity with the agonic line; and by Professor Charles E. Park on Excommunication in Colonial Churches.

*Journals of the House of Burgesses of Virginia, 1727-1734, 1736-1740.* Edited by H. R. McIlwaine. (Richmond, 1910, pp. xxxiii, 467.) On May 20, 1732, the House of Burgesses of Virginia "Ordered, That Mr. William Parks have Leave to print the Votes and Proceedings [i. e., journals] of this House". Accordingly six of the eight sessions whose journals are given in this volume are represented already by printed journals, while the journals of the sessions of 1727 and 1730

have had to be copied from the manuscripts of the Public Record Office in London. But the printed journals of 1732 and 1734, and those of the new House of Burgesses which sat in 1736, 1738, May, 1740, and August, 1740, are excessively rare (a single copy existing in the case of five of them and only two copies of the other), and their final preservation by reprinting is quite as much an occasion for gratitude as the printing of any manuscript journal. The printing has been done in the same beautiful fashion as the preceding volumes, those for 1742-1776, and Mr. McIlwaine's editing is of the same scrupulous and competent character. Apropos of his remarks on the committee for courts of justice (p. xv), the present writer expects that examples earlier than 1727 will be found, since a committee of that name and character was a constant institution of the House of Commons from 1621 on, except for the period from 1640 to 1660, and the Virginian scheme of standing committees imitated closely that of the Commons.

Governor Gooch's administration had many of the merits of his contemporary Walpole's. Next to the governor's, the leading influence in public affairs was that of the speaker. John Holloway was succeeded as speaker in 1734 by Sir John Randolph, Randolph in 1738 by the unhappy John Robinson. The passage of the tobacco acts is the most important matter of business, the settlement of election cases and questions of privilege makes the most interesting reading. Very interesting, however, is the petition of the Burgesses in 1730 to the King in Council on the subject of grants and tenures in the Northern Neck (pp. 92-96); it presents a valuable summary of the history of an involved matter. Other exceptionally interesting matters are the passage in 1730 of the act exempting the German Protestants of Stafford County from the payment of parish levies, because they already supported a German minister—a beginning of toleration; the passage of militia acts and of acts for the benefit of the College of William and Mary; and in 1736 the enactment of a law making more precise the qualifications for the suffrage, the need of which had been made manifest by the devious courses pursued in many elections.

*The Siege of Boston.* By Allen French. (New York, The Macmillan Company, 1911, pp. xi, 450.) The author's object as stated in the preface is "to produce a brief and readable account of the Siege of Boston" . . . "to treat the subject as a single organic series of events". He acknowledges his obligation to Frothingham's *Siege of Boston*, and says that his indebtedness to other authorities is recognized in the foot-notes. Turning to the notes one finds the histories by Bancroft, Avery, Lodge, Trevelyan, Stedman, Sabine, and Wells, and the *Memoorial History of Boston*. Beyond these and a half-dozen diaries, there is nothing. His researches have brought him little save "base authority from others' books"—secondary books for the most part. There are very few new things to be found in the volume, and no new point of view. The language is smooth and moves easily on, but one may

"praise an eel with the same praise". The author has not even successfully emulated Macaulay, making his history take the place of the last novel on my lady's table. The style is merely readable, no more.

C. H. VAN TYNE.

*The Works of James Buchanan, comprising his Speeches, State Papers, and Private Correspondence.* Collected and edited by John Bassett Moore. Volume XII. *Biographical.* (Philadelphia and London, J. B. Lippincott Company, 1911, pp. xviii, 479.) Rather more than half of this, the concluding volume of Buchanan's writings, is filled with the *apologia* entitled *Mr. Buchanan's Administration on the Eve of the Rebellion*, published in 1866. Besides this we have an autobiographical sketch for 1791-1828; the first part of the oration of July 4, 1815, found after the publication of the latter portion in volume I.; a biographical sketch by J. Buchanan Henry; and a paper reviewing the *Administration* book, by W. U. Hensel.

Buchanan's elaborate defence of his administration, withheld from immediate publication, he tells us, in order that he might not seem to embarrass Lincoln, has hardly received from historians the attention which it deserves. A perusal of it fifty years after the event does not, indeed, alter greatly the general verdict which has been rendered upon his course; but it at least makes his position clearer. Buchanan was no friend to slavery as an institution; but believing, as he did, that slavery was "imbedded in the Constitution", he opposed consistently and uncompromisingly every attempt to interfere with it. Throughout his public life he cherished bitter hostility to the Abolitionists, and puts his arraignment of them in the forefront of his apology. On the other hand, the repeal of the Missouri Compromise by the Kansas-Nebraska Act called out his condemnation, though as chief magistrate he found little to object to in the conduct of the pro-slavery government in Kansas. His course during the winter of 1860-1861, when he showed himself to be of the straitest sect of strict constructionists, should have surprised no one; being, as it was, of a piece with his public attitude from the beginning. He makes the most of Greeley's repeated public admission of the propriety of secession; and his criticism of Congress for its deliberate and culpable negligence in failing to make provision for strengthening the hands of the President, or putting the federal government in a position to maintain the Union or deal with rebellion, is a solid argument in his own justification. It is worth remembering that when Lincoln took the law into his own hands, in the spring and early summer of 1861, Congress was not in session, while Buchanan, with Congress sitting, could plead no such exigency as his authority. That Buchanan possessed either the intellectual or the moral qualities needed to deal with so great an upheaval as the Civil War, nothing in the whole twelve volumes of his writings tends to show; but the responsibility for the mistakes of the winter of 1860-1861 must be borne by Congress as well as by him.



Of the scholarly editorial work of this sumptuous edition one can speak only in praise. The index, admirably full, has been made by Jacob H. Goetz.

WILLIAM MACDONALD.

*Memorias del Coronel Manuel María Giménez, Ayudante de Campo del General Santa Anna, 1798-1878.* [Documentos Inéditos ó muy Raros para la Historia de México, edited by Genaro García, tomo XXXIV.] (Mexico, Bouret, 1911, pp. 286.) Giménez was born at Cadiz in 1798, was sent to a military college when thirteen years of age, and before completing his studies received the "baptism of fire" in a battle against Soult. In 1818 he went to Mexico as a military engineer, and from that date lived an active and checkered life for about half a century, serving all sorts of governments from that of Spain to that of Maximilian. Though brave he seems to have been better qualified for business than for war, and apparently he was too honest, too faithful, and too little gifted as a politician for success in civil public affairs. His Memoirs might have been precious but are in fact only valuable. He did not begin to write until 1863, and seems to have relied almost wholly on his memory for the period before that date. Besides, he took pains to avoid giving offense (p. 125), and with such a rule one could not go far below the surface in describing the recent events. What we have, therefore, is an interesting personal sketch throwing light upon some matters of no little public importance. Giménez began to serve Santa Anna as aide-de-camp at the time of the French war, 1838. After that he was almost always near him whenever the general figured in Mexico, wrote against his enemies, dedicated these Memoirs to him, and counted among the very few who stood by him to the end in spite of the blindness, poverty, and obscurity of the ex-dictator's last years. To his mind Santa Anna was a brave, great, and noble man, even though capable of ordering his innocent aide-de-camp banished from the capital as a scapegoat and pretending to know nothing about the affair (pp. 83, 85). This opinion should remind us to view the general with careful regard to the circumstances of the time and the character and capacity of the persons around him; but apparently Giménez was not admitted into all the recesses of his master's thought, and besides entertaining a sense of gratitude was one to be dazzled by Santa Anna's brilliancy no less than by Maximilian's affability and "august person" (pp. 161-163). To American scholars the Memoirs will have special interest on account of their statements with reference to our war against Mexico (pp. 96-115, 263-267). As one illustration, the author says (p. 100) that great numbers of Santa Anna's troops, not accustomed to carry rations, threw aside on their way to the battlefield of Buena Vista the sacks of food with which they had been provided; and as another he gives us more information than perhaps any one else regarding the plan to overthrow Santa Anna that was formed at Mexico soon after the battle of Cerro Gordo (pp. 108-111).

JUSTIN H. SMITH.

## NOTES AND NEWS

### AMERICAN HISTORICAL ASSOCIATION

The manuscript of volume I. of the *Annual Report* for 1910 has been sent to the Government Printing Office. The second volume, consisting of correspondence of Robert Toombs, Alexander H. Stephens and Howell Cobb, edited by Professor U. B. Phillips for the Historical Manuscripts Commission, is nearly ready. The *Annual Report* for 1909 has been read in page proof. The second volume of that for 1908 will shortly be issued, bound in two parts.

The association's *Handbook* has been issued to the members. The list of names of members is now accompanied by indications of their special lines of interest.

Both the Adams prize essay for 1909, Dr. Notestein's *History of English Witchcraft*, and the Winsor prize essay for 1910, Professor E. R. Turner's *The Negro in Pennsylvania*, are now in press and will be distributed to subscribers in the autumn.

The *Report of the Committee of Five* upon history in secondary schools, of the nature of a review of the *Report of the Committee of Seven*, published in 1899, has now been issued by the Macmillan Company in the form of a small book of 69 pages.

In the *Original Narratives* series Messrs. Scribner expect to issue in the autumn *Narratives of Early Pennsylvania, Delaware, and West Jersey*, edited by Dr. Albert Cook Myers. The next volume will be the *Journal of Dankers and Sluyter*, in revised translation, edited by Rev. B. B. James of Baltimore.

By typographical error the name of Miss Lucy M. Salmon, professor in Vassar College, was omitted from the list of the General Committee on page 475 of the last number of this journal. To the Committee upon the Certification of High School Teachers of History the name of Superintendent Charles E. Chadsey should now be added.

### PERSONAL

Col. Thomas Wentworth Higginson died at Cambridge on May 9 at the age of 87. His historical books for young people, his *Larger History of the United States* (1885), his *English History for Americans* (1893), his *Massachusetts in the Army and Navy, 1861-1865* (1895, 1896), and his *Life of Stephen Higginson* (1907), were the only professed historical books in his long series of literary publications; but perhaps quite as important to history as any of them was his *Army Life in a Black Regiment* (1869), which chronicled the unique and stirring experiences of his colonelcy.

Professor Frederick W. Moore of Vanderbilt University died at Denver in the latter part of April, at the age of forty-seven. He had been connected with the faculty of Vanderbilt University since 1892, and had been a useful and influential teacher and an interested investigator of many problems in Southern history.

Professors Henry E. Bourne, Frank H. Hodder, Albert B. White, and Carlton H. Hayes will teach during the summer sessions at the University of Chicago, Professors John S. Bassett and Edward B. Krehbiel and Dr. James Sullivan at Columbia University, and Professor James W. Thompson at the University of Wisconsin.

Dr. William E. Lunt of Wisconsin has been appointed professor of history and political science at Bowdoin College, to which Mr. O. C. Hormell of Clark College goes as assistant professor.

Mr. H. W. V. Temperley of Peterhouse, Cambridge, will lecture at Harvard University on modern English history during the first half of the coming academic year.

Dr. Sydney Knox Mitchell has been promoted to an assistant professorship of history in Yale University.

Dr. Robert Livingston Schuyler has been appointed an assistant professor in the department of history at Columbia University.

At the University of Michigan the two departments of history have been united under the headship of Professor Van Tyne. Professor Ulrich B. Phillips has been called to the professorship vacated by Professor Paxson a year ago, and Dr. Edward R. Turner of Bryn Mawr College has been elected a professor of history to take the place made vacant by the retirement of Professor Richard Hudson. Dr. A. L. Cross has been advanced from a junior professorship to a professorship of English history.

Mrs. Lois Kimball Mathews of Wellesley College has been elected associate professor of American history and dean of women at the University of Wisconsin.

Professor St. George L. Sioussat has accepted a call from the University of the South to Vanderbilt University to take the chair of history made vacant by the death of Professor Frederick W. Moore.

Professor Edgar E. Robinson of Carleton College has been elected assistant professor of history at Stanford University.

#### GENERAL

Accounts of the proceedings of the Seventeenth International Congress of Americanists, held in two sessions, at Buenos Aires in May and at the City of Mexico in September, 1910, were published in the *American Anthropologist* for October-December. The eighteenth congress will be held in London in September, 1912.

*A New School Atlas of Modern History*, by Professor Ramsay Muir of the University of Liverpool (New York, Holt, 1911, pp. xxiv, 48 plates) surpasses any other school atlas of historical geography we remember to have seen in the extent to which it manages, without obscuring any culture-details, to present along with them the physical features of the lands depicted. Besides 48 excellent photolithographic plates, containing 120 colored maps, there is a fair amount of letterpress, in which 29 zinc-engraved maps, chiefly of battles, are imbedded. America has four of the large plates, correct in almost all essentials. Great Britain is most fully treated. A larger edition, with more maps and index, is being prepared for the use of more advanced pupils.

*A Catalogue of the Collection of Historical Material, New England History Teachers' Association*, has been prepared by the committee upon historical material, Professor Arthur I. Andrews chairman, assisted by the senior class in library science of Simmons College, and issued in a pamphlet of 37 pages. The catalogue is also printed in the issues of the *History Teachers' Magazine* for April and May.

*The History Teachers' Magazine* for May contains a full statement of history courses in the summer schools of American universities and colleges this season.

Professor John Nichol, late of the University of Glasgow, has issued a fifth, revised edition of his *Tables of European History, Literature, and Art, A. D. 200-1909, and of American History, Literature, and Art*.

Moffat, Yard and Company, of New York, have published a translation of Max Nordau's recent book, under the title *The Interpretation of History*. The translator is M. A. Hamilton.

The management of the *Vierteljahrsschrift für Social- und Wirtschaftsgeschichte* has issued as an appendix to IX. 1, 2, a *Bibliographie der Social- und Wirtschaftsgeschichte für 1910, Juli-September*.

The Columbia University Press will shortly publish *Social Evolution and Political Theory*, by Leonard T. Hobhouse.

The *Revue du Mois* of April 10 contains an interesting discussion by Charles Salamon and Gustave Lanson of "la Méthode en Histoire Littéraire".

Professor James G. Frazer of Liverpool, in his *Totemism and Exogamy* (London and New York, Macmillan, four volumes, 1910) makes almost as notable a contribution to the interpretation of early superstition and the understanding of early society as was made twenty years ago by his publication of *The Golden Bough*.

*The American Economic Review*, the new quarterly journal of the American Economic Association, edited by Professor Davis R. Dewey, made its beginning with the number for March, 1911. More comprehensive in its plan than any preceding American economic journal, and prepared with unusual completeness and finish, it will, we are sure, commend itself as useful in many ways to historical workers.



In an article in *Science* for April 14, 1911, Dr. Frederick A. Woods continues his studies in "historiometry", to use the convenient term coined by him. He studies degrees of eminence as measured by the attention paid to particular persons in compendious works of biography and criticism, and by tabulation of the adjectives employed in such articles. He urges also that the space method and the adjective method can be applied to the estimation of some historical events.

The *Bulletin* of the New York Public Library for April contains an extensive list of books relating to Muhammadanism.

Noteworthy articles in periodicals: E. Levasseur, *La Place de l'Histoire des Faits Économiques* (*Revue Internationale de l'Enseignement*, LXI. 2); J. Kaerst, *Studien zur Entwicklung und Bedeutung der Universalgeschichtlichen Anschauung*, I. (*Historische Zeitschrift*, CVI. 3).

### ANCIENT HISTORY

The Scribners have brought out *Biblical Geography and History*, by Professor Charles Foster Kent of Yale.

In his *Palestine and its Transformation* (Houghton Mifflin Company) Mr. Ellsworth Huntington aims in particular to show the influence which geography and climatic conditions had in the development of Jewish social characteristics and consequently in preparing the way for the teachings of Christ.

Under the inspiration of Professor Ulrich Wilcken of Leipzig his pupil Dr. Kurt Fitzler has published a study of the mines and quarries of Egypt under the Ptolemies and the Roman Empire. The monograph of 158 pages includes a thorough discussion of all the types of stone and metal quarried in Egypt; the method of lease employed by the government, which is similar to that used in the case of the dams and water-rights; the labor employed; the official bureau concerned in the management of the mines; and the methods of transport of the ores and stone. There is also a short digression upon the leasing of water-rights for irrigation. The study is called *Steinbrüche und Bergwerke im Ptolemäischen und Römischen Aegypten*, and appears in the *Leipziger Historische Abhandlungen*, published by Quelle and Meyer (Leipzig, 1910).

Fascicule 44 of the *Dictionnaire des Antiquités Grecques et Romaines*, published by Hachette and edited by MM. Saglio and Pottier (t. IV., pt. 2, pp. 1297-1456), goes from "Sibyllae" to "Sporta", and is accompanied by a "table méthodique provisoire" for the letters A to O.

*The International Law and Custom of Ancient Greece and Rome*, in two volumes, by Coleman Phillipson, of the Inner Temple, bears the imprint of Macmillan.

Dr. Barclay V. Head's *Historia Numorum*, the standard manual of Greek numismatics, published in 1887, has now been brought out in a new and much enlarged edition taking account of the progress of the last twenty-four years in that study.

The interesting excavations carried on at Sparta in 1909, by the British School at Athens, are described in detail (pp. 157) in the *Annual* of the School, XV., with many figures.

The Cambridge University Press has published in the "Cambridge Archaeological and Ethnological Series" a study by F. W. Hasluck, fellow of King's College, Cambridge, entitled, *Cyzicus: Being some Account of the History and Antiquities of that City, and of the District adjacent to it, with the Towns of Apollonia, etc.* The author proceeds on the basis not only of the sources but of a careful examination of the territory, and aims to describe alike the ancient and the modern conditions. Cyzicus and Cyzicene institutions are dealt with in more detail, largely from the inscriptions.

The Oxford Press announces *Essays on Roman History*, by the late Professor H. F. Pelham, collected and edited by F. Haverfield.

Otto Petters, Heidelberg, has issued part XXXIII. of *Der obergermanisch-römische Limes des Römerreiches*; it is devoted to the camp of Stockstadt.

Frowde, London, publishes *The Imperial Administrative System in the Ninth Century, with a revised Text of the Kletotologion of Philotheos*, by J. B. Bury. The publication is no. 1 of *The British Academy Supplemental Papers*.

Noteworthy articles in periodicals: E. Cavaignac, *Les Classes Soloniennes et la Répartition de la Richesse à Athenes* (*Vierteljahrschrift für Social- und Wirtschaftsgeschichte*, IX. 12); P. Wendland, *Beiträge zu Athenischer Politik und Publizistik des vierten Jahrhunderts*, II. *Isokrates und Demosthenes* (*Nachrichten von der K. Gesellschaft der Wissenschaften zu Göttingen*, phil.-hist. Kl., 1910, 4); G. Bloch, *La Plèbe Romaine*, II. (*Revue Historique*, May-June); Guglielmo Ferrero, *The Women of the Caesars: Introductory, Woman and Marriage in Ancient Rome* (*Century*, May); Otto Th. Schulz, *Ueber die wirtschaftlichen und politischen Verhältnisse bei den Germanen zur Zeit des C. Julius Caesar* (*Klio*, XI. 1).

#### EARLY CHURCH HISTORY

The Bollandist fathers have now brought out the third November volume of the *Acta Sanctorum* (Brussels, 1910, pp. vii, 1000), dealing with the saints of November 5, 6, 7, and 8. The second volume appeared in 1894.

The *Manuel d'Archéologie Chrétienne depuis les Origines jusqu'au VIII<sup>e</sup> Siècle*, prepared by Dom H. Leclercq of Farnborough Abbey and published in Paris by Letouzey and Ané (two volumes, pp. 600, 670) with many excellent illustrations, is an authoritative survey, beginning with the study of Jewish, Mithraic, and classical influences on early Christian art, and setting forth with scholarly text and abundant references the development of Christian architecture, painting, sculpture, and minor arts.

By the combination of good psychology with good exégesis, M. Émile Lombard, in a treatise *De la Glossolalie chez les premiers Chrétiens et des Phénomènes Similaires* (Lausanne, Bridel, 1910, pp. xii, 254), places these striking phenomena of the apostolic age in their proper setting of comparison and explanation.

*The Origin and Development of the Christian Church in Gaul during the First Six Centuries of the Christian Era* (New York, Macmillan), by Canon T. Scott Holmes, D.D., is the Birkbeck lectures for 1907 and 1908 in Trinity College, Cambridge. The narrative is brought down to the conversion of the Franks and the work aims to subject the legends of the period of evangelization to exhaustive criticism.

Noteworthy articles in periodicals: E. de Faye, *De la Formation d'une Doctrine Chrétienne de Dieu au II<sup>e</sup> Siècle* (Revue de l'Histoire des Religions, January-February).

### MEDIEVAL HISTORY

A society has been formed recently at Paris for the photographic reproduction of the most important medieval manuscripts, especially those noteworthy for pictorial adornment. The first undertaking will be the entire reproduction of a *Bible Moralisée* of the thirteenth century, adorned with 5000 medallions of scenes from the Scriptures.

The Macmillan Company has recently published *A History of Education during the Middle Ages and the Transition to Modern Times*, by Frank Pierrepont Graves of Ohio State University. It is a continuation of the author's *History of Education before the Middle Ages*.

Chatto and Windus have published in the series "The King's Classics", edited by Professor I. Gollancz, *The English Correspondence of Saint Boniface*, containing the letters exchanged between the Apostle of the Germans and his English friends, translated and edited by Edward Kyrle.

Heft 22 of the *Leipziger Historische Abhandlungen* is Dr. Walther Müller's *Zur Frage des Ursprungs der mittelalterlichen Zünfte: Eine wirtschafts- und verfassungsgeschichtliche Untersuchung* (Leipzig, Quelle and Meyer, 1911, pp. 92). The essay is the author's doctoral dissertation at the University of Leipzig, the investigation being pursued under the direction of Professors Seeliger and Doren. It aims to throw light on the origins not only of the *Zünfte* but of the medieval *Stadtverfassung*, especially with reference to the relations of these developments to medieval *Grundherrschaft*.

Recent additions to the *Medieval Town Series* (London, J. M. Dent and Sons) are *Lucca* by Janet Ross, and *Avignon* by Thomas Okey.

Heft 152 of Schmoller and Sering's *Staats- und Sozialwissenschaftliche Forschungen* (Leipzig, Duncker and Humblot, 1910, pp. ix, 236) is *Der Geldhandel der deutschen Juden während des Mittelalters bis zum*

*Jahre 1350*, by Moses Hoffmann. It seems to be of unusual interest from the fact that it represents the first adequate effort to utilize on this subject material in the Hebrew tongue. Of interest also in this field is the recent publication of W. Sombart, *Die Juden und das Wirtschaftsleben* (Leipzig, Duncker and Humblot, 1911).

Dr. Peter Wolff's dissertation on *Der Briefsteller des Thymo von Erfurt und seine Ableitungen* (Bonn, 1911) contains not only a careful analysis of the unpublished formulary of Thymo but an investigation of other related collections of the fourteenth century. Dr. Wolff makes much freer use of manuscript material than is usual in German doctoral dissertations.

Noteworthy articles in periodicals: P. Allard, *Les Origines du Servage*, II. (*Revue des Questions Historiques*, April); S. Rietschel, *Die Münzrechnung der Lex Salica* (*Vierteljahrschrift für Social- und Wirtschaftsgeschichte*, IX. 12); G. Falco, *I Preliminari della Pace di S. Germano, Novembre 1229-Luglio 1230* (*Archivio della R. Società Romana di Storia Patria*, XXXIII. 3-4); F. Van Ortroy, *Pierre Ferrand O. P. et les premiers Biographes de S. Dominique* (*Analecta Bollandiana*, XXX. 1).

#### MODERN EUROPEAN HISTORY

Mgr. N. Paulus has gathered together in a volume, *Hexenwahn und Hexenprozess vornehmlich im 16. Jahrhundert* (Freiburg i. B., Herder, 1910, pp. 283) a number of interesting and solid studies in the history of witchcraft. One is devoted to Geiler of Kaisersberg, several to the ideas and conduct in respect to sorcery of Luther and the Lutherans, Zwinglians, and Calvinists, one to the supposed pre-eminence of woman in witchcraft, two to the history of witchcraft in the milder atmosphere of Rome.

Mr. B. J. Kidd's *Documents Illustrative of the Continental Reformation* (Oxford University Press, 1911, pp. 764) is a collection of a sort to be welcomed by many teachers.

Father Pierre Suau's *Histoire de S. François de Borgia* (Paris, Beauchesne, 1910, pp. 592) takes rank immediately as the chief life of the third general of the Jesuits.

Students of the history of the Council of Trent will be grateful for volume XVIII., fasc. 5, of the *Nouvelles Archives des Missions Scientifiques* (pp. 364), in which M. G. Constant studies and lists the documents in the Vienna Staatsarchiv and in the archives of Simancas concerning the diplomatic history of the Council under Pius IV., and especially its relations with France.

Heft 25 of the *Abhandlungen zur mittleren und neueren Geschichte* (G. v. Below, H. Finke, F. Meinecke) is Dr. A. F. Raif's *Die Urteil der Deutschen über die Französische Nationalität im Zeitalter der Revolution und der deutschen Erhebung* (pp. vii, 150).



Professor K. Th. Heigel's excellent little *Politische Hauptströmungen in Europa im 19. Jahrhundert* and Professor Th. Bitterauf's *Napoleon I.* have both advanced to second editions (Leipzig, Teubner).

Noteworthy articles in periodicals: H. C. Diferee, *Die Oekonomische Verwicklung zwischen England und den Niederlanden im 17. Jahrhundert* (Vierteljahrschrift für Social- und Wirtschaftsgeschichte, IX. 12); A. Auzoux, *Une Campagne sur les Côtes de l'Inde au Début de la Révolution, 1791-1792* (Revue des Questions Historiques, April); G. K. Anton, *Leopold II. und die Entwicklung des Kongostaates: Ein historisch-psychologischer Versuch* (Jahrbuch für Gesetzgebung, XXXV. 1).

#### GREAT BRITAIN AND IRELAND

Messrs. Constable announce ten or twelve new volumes in the *Victoria History of the Counties of England* for 1911, including the fourth and fifth (final) volumes of Hampshire, the third and fourth (final) of Surrey, the fourth, fifth, and sixth (final) of Lancashire, the third of Bedfordshire, the second of Somerset, and the second of Yorkshire.

New historical books announced for the *Cambridge Manuals of Science and Literature* are: *An Historical Account of the Rise and Development of Presbyterianism in Scotland*, by Lord Balfour of Burleigh; *The Dominion of New Zealand*, by Sir R. Stout, chief justice of New Zealand; *King Arthur in History and Legend*, by Professor W. Lewis Jones; and *Life in the Medieval Universities*, by R. S. Tait. In connection with the tercentenary of the Authorized Version the Cambridge University Press will publish in this series a *History of the English Bible* by Dr. John Brown.

A useful volume appears among the spring announcements of Routledge: *An Introduction to the Study of Local History and Antiquities*, by J. E. Morris and Humphrey Jordan. Dr. Morris is assistant master of Bedford grammar school and the work is the outcome of the 1908 circular of the Board of Education on the Teaching of History in Schools. The general arrangement is chronological and the volume is copiously illustrated with small photographs.

Dr. J. Armitage Robinson, in his life of *Gilbert Crispin, Abbot of Westminster* (Cambridge University Press), studies the history of the abbey under the early Norman rule, the previous life of his subject at Bec, and his literary remains, edits intact for the first time the life of Gilbert by Heerluin, and prints early charters of Westminster and of St. John's abbey, Colchester.

John Lane has brought out *The Speakers of the House of Commons from the earliest Times to the present Day*, by A. I. Dasent. The book, besides its historical text, contains a portrait, so far as one is known to exist, of every speaker. There are also notes on the illustrations by John Lane.

The Selden Society is about to issue *Select Cases in the Star Chamber*, vol. II., 1509-1544, edited by Mr. I. S. Leadam.

*The Utopia of Sir Thomas More* (London, Bell, 1910) edited by Mr. George Sampson, includes an historical introduction, the Latin text of 1516, Ralph Robinson's second translation, 1556, Roper's *Life of More*, and the letters that passed between More in the Tower and his daughter Margaret Roper. An edition of More's correspondence is in course of preparation by M. Delcourt of the University of Montpellier.

Macmillans announce the publication of volume III. of Dr. James Gairdner's *Lollardy and the Reformation in England*, to cover the reign of Edward VI. The volume will be prefaced by a reply to some criticisms of its predecessors.

The University Press, Cambridge, England, will publish in the autumn a work in two volumes by Mr. Champlin Burrage entitled *The Early English Dissenters in the Light of Recent Researches*. The first volume will be devoted to history and criticism. The second volume will contain illustrative documents covering a period of about one hundred years.

The Cambridge University Press has published vol. III. of J. Bass Mullinger's *The University of Cambridge*; it extends from the election of Buckingham to the chancellorship in 1626 to the disappearance of the last of the Platonists soon after the Restoration.

A curious and extraordinary tale in English history is told by Professor W. C. Abbott of Yale University in *Colonel Thomas Blood, Crown Stealer, 1618-1680* (Yale University Press, 1911, pp. 98).

Henry Broxap's *Biography of Thomas Deacon, the Manchester Non-Juror* (Publications of the University of Manchester, Historical Series, New York, Longmans), besides enlarging upon the knowledge concerning Deacon (1697-1753), throws additional light on the period of his career.

Herbert and Daniel have published in two volumes a translation of Paul Thureau-Dangin's valuable work, under the title *The English Catholic Revival of the Nineteenth Century*, the translation being by Wilfrid Wilberforce and Daniel O'Connor.

It is announced that Mr. Lucien Wolf has undertaken a biography of the late Marquis of Ripon, on the basis of private and official papers covering his whole public career from 1849 to 1908; he will also be able to use the papers of Lord Goderich, first Marquis, who succeeded Canning as premier in 1827.

Longmans has just issued *The Life of Viscount Goschen*, of great political interest for the period 1863-1907; it contains important unpublished letters of Gladstone and others.

Longmans will publish in the autumn a political memoir in two volumes of the late Duke of Devonshire by Bernard Holland, one of the

duke's secretaries. Considerable correspondence of interest will be inserted.

Constable, London, has published *Sir William Butler: An Autobiography*. Sir William Butler, who died in June, 1910, is described as writer, politician, and soldier. His life was full of variety and his memories extend from the Irish famine of 1847 to the present time. His fighting was not confined to the field of battle, and the book is largely occupied by the various controversies in which he was engaged. The chief of these grew out of his position as chief military commander in South Africa just before the Boer War (charged also with civil affairs in the absence of Sir Alfred Milner).

Messrs. Blackwood have published *A Short History of Scotland*, by Andrew Lang, intended to give results of the latest scholarship and to be intermediate in extent.

W. and K. Johnston announce *The Lord Chancellors of Scotland, from the Institution of the Office to the Treaty of Union*, in two volumes, by S. Cowan.

Several new books on Ireland are announced. The Macmillan Company have published Dr. Robert H. Murray's *Revolutionary Ireland and its Settlement*; Arnold will bring out *The End of the Irish Parliament*, by J. R. Fisher, covering the thirty years preceding the Union; the Oxford University Press, as we have mentioned, *Ireland under the Normans, 1169-1216*, by G. H. Orpen; and Elliot Stock has issued volume VI. of P. H. Hore's *History of Wexford*.

Professor Hugh E. Egerton's *Federations and Unions within the British Empire* (Oxford University Press, 1911, pp. 302) is a convenient volume of fundamental constitutions accompanied by documents which explain them and introduced by an historical account of the circumstances in which they arose.

*The English Factories in India, 1634-1636*, edited by Mr. William Foster (Oxford University Press, 1911, pp. 396), the fifth volume in this series of calendars, has just appeared.

Documentary government publications: *Chronological Index of Statutes, 1235-1910*; *Year Book of Edward III.*, year 20, part II.; *Calendar of State Papers, Domestic, 1677-1678*; *Calendar of State Papers, Colonial, 1701*.

Noteworthy articles in periodicals: G. Constant, *La Transformation du Culte Anglican sous Édouard VI.*, II. *Tendances Zwingliennes et Calvinistes* (Revue d'Histoire Ecclésiastique, April); J. F. Chance, *George I. and Peter the Great after the Peace of Nystad* (English Historical Review, April); E. Dolleaux, *L'Évolution du Chartisme, 1837-1839: Du Réformisme à la Violence*, I. (Revue de Synthèse Historique, XXI. 3); J. M. Anderson, *The Beginnings of St. Andrews University* (Scottish Historical Review, April).

## FRANCE

The Société Française de Bibliographie announces that it has undertaken the publication of the following works of historical interest: *Table des Mémoires du Marquis de Sourches*, by M. Lecestre; *Bibliographie des Traductions en Langue Française du XVI<sup>e</sup> Siècle à la fin du XVIII<sup>e</sup>*, by G. Regnier; *Histoire du Dépôt Légal*, pt. 2, by H. Lemaitre. The preparation of the second edition of Monod's *Bibliographie de l'Histoire de France* is announced as advancing rapidly and the first fascicule will appear this year.

MM. Édouard Cornély announce the completion of M. Pierre Caron's *Bibliographie des Travaux publiés de 1866 à 1897, sur l'Histoire de France depuis 1789*, by the issue of the sections relating to economic and social and local history and the index. The whole makes a volume of nearly a thousand pages. The same firm announces the continuance of MM. Brière and Caron's *Répertoire Méthodique de l'Histoire Moderne et Contemporaine de la France*, which had paused at 1903. A volume containing the product of 1904, 1905, and 1906 is in the press; another will bring this useful bibliography to 1910.

January 7, 1911, the Commission Supérieure des Archives, under the presidency of Professor Aulard, held an important meeting of which an account is given in the *Révolution Française* of February 14. Some important additions to the Archives Nationales in the near future were indicated and various reports made as to the progress of inventories and other archival aids.

The Institut Français of Florence, the director of which is M. Lucien Luchaire, professor at the University of Grenoble, announces for publication during 1911 the following studies: *Montesquieu et Machiavel*, by Levi-Malvano; *Un Condottiere Italien à Lyon au XVI<sup>e</sup> Siècle*, by L. Caillet; *Le Problème du Baptistère de Florence et les Pavements du Baptistère et de S. Miniato al Monte*, by G. Soulier; *Relations des Ambassadeurs Florentins à l'Époque du Concile de Pise*, by M. Renaudet.

A. Rousseau, Paris, has just published volume I. of a *Histoire du Commerce de la France*, by E. Levasseur, intended to be complementary to the author's *Histoire des Classes Ouvrières et de l'Industrie*. The volume comes to 1789.

Messrs. Charles Scribner's Sons published in May in the *General History of Art* handbooks, *A History of Art in France*, by M. Louis Hourticque, inspector of fine arts for the city of Paris.

The Librairie Laurens has begun the publication of a series entitled *Petites Monographies des Grands Édifices de la France*, under direction of M. Eugène Lefèvre-Pontalis. The volumes will be of 100 pages, illustrated, and will be the work of specialists; there have already appeared the following: *Le Château de Coucy*, by E. Lefèvre-Pontalis; *La Cathédrale de Chartres* (René Merlet); *Saint-Pol-de-Leon* (L. Th.



Lecureux); *Le Château de Rambouillet* (G. Longnon); *L'Abbaye de Vézelay* (Ch. Porée); *L'Hotel des Invalides* (L. Dimier); *Le Château de Vincennes* (F. de Fossa); *L'Abbaye de Moissac* (A. Angles). Similar monographs are in preparation for the cathedrals of Reims (L. Demaison), Lyons (M. Bégul), Auxerre (C. Enlart), Bourges (A. Bomet), and Coutances (E. Lefèvre-Pontalis).

The Société des Normands of Paris planned an extensive celebration, May 28-June 11 of this year, of the "Millénaire de la Normandie"; after a preliminary assembly at Saint-Clair-sur-Epte, there was to be an exposition at Rouen with reference to the provincial history, a congress of historical and literary conferences in that city, a pageant and other features, with corresponding fêtes at Paris. The American Historical Association was to be represented by Messrs. C. H. Haskins and W. G. Leland; at St. Dié (celebration of Waldseemüller's *Cosmographiae Introductio*) by its president, Professor William M. Sloane. On account of the death of the minister of war the latter celebration has been postponed to July, and the former modified.

The next issue in the *Bibliothèque d'Histoire Moderne* (Paris, Cornély) will be *La Révolution de Février: Étude Critique*, by M. Albert Crémieux. This will be followed by *L'Organisation des Partis Politiques et leur Répartition Géographique en France en 1849*, by M. Gaston Génique; *Henri IV. et l'Europe pendant les Années 1609 et 1610*, by M. Vlastimil Kybal; *L'Anoblissement sous François I.*, by M. J. Richard-Bloch; and *Les Clubs de Barbès et de Blanqui en 1828*, by Mlle. Suzanne Wassermann.

The *Collection de Documents Inédits sur l'Histoire Économique de la Révolution Française* advances by the publication of several new volumes: t. IV. of *Procès-Verbaux des Comités d'Agriculture et de Commerce*, ed. Gerbaux and Schmidt; t. III. of *Documents relatifs à la Vente des Biens Nationaux (Bouches-du-Rhône)*, ed. Moulin; t. II. of *Cahiers de Doléances de la Sénéchaussée de Rennes*, ed. Sée and Lesort (these three series already noticed in this journal); and a new work for dép. Cher, *Cahiers de Doléance du Bailliage de Bourges*, etc., ed. Gandillon (Bourges, pp. 1, 812), with the usual method and apparatus.

M. A. Tuetey has published tome IX. of his *Répertoire Général des Sources Manuscrites de l'Histoire de Paris pendant la Révolution Française*; it embraces the second part of the Convention (Paris, 1910, pp. cvii, 631). The documents enumerated are of the period March-September, 1793; as with the preceding volumes the historical introduction is of great interest.

The second fascicule of A. Mathiez's *Bibliothèque d'Histoire Révolutionnaire* is a brief study by the editor entitled *Les Conséquences Religieuses de la Journée du 10 Aout 1792: La Déportation des Prêtres et la Sécularisation de l'État Civil* (Paris, E. Leroux, 1911, pp. 52). The essential documents are printed as appendix.

M. Pierre Caron has begun the publication, under the auspices of the Société d'Histoire Contemporaine (Paris, A. Picard) of a series entitled *Paris pendant la Terreur: Rapports des Agents Secrets du Ministre de l'Intérieur*. The reports are those of the "commissaires observateurs" established in 1793 and active till April, 1794; they were daily. Some have already been published but unsatisfactorily; more than 1500 are in existence. The present series will comprise four volumes, the first covering the period August 27 to December 25, 1793.

General Zurlinden (formerly minister of war) continues his studies in the military history of the Napoleonic age with volume II. of *Napoléon et ses Maréchaux*, devoted to *Les Maréchaux* (Hachette). Other recent additions to the military history of this period are A. Chuquet's *Quatre Généraux de la Révolution: Hoche et Desaix; Kléber et Marceau* (Fontemoing); and Édouard Gachot's *La Troisième Campagne d'Italie, 1805-1806* (Plon).

A new series has been begun by the house of H. Champion, Paris, under the title, *Bibliothèque de la Révolution et de l'Empire*, the first volume being entitled, *Lettres de 1815: Première Série*, by A. Chuquet, and the second (with the same editor), *Lettres de 1812: Première Série*. The contents of these volumes are of very varied character, but come mostly from the archives of the ministry of war; the first relates to the Hundred Days, the second to the Russian campaign. A similar collection by the same indefatigable worker in this field is entitled *Ordres et Apostilles de Napoléon, 1799-1815*.

Chatto and Windus of London have published *Men and Things of My Time*, by the Marquis de Castellane, the translation being by Alexander Teixeira de Mattos. The recollections of M. de Castellane begin with the Second Empire and are of considerable interest for many of the chief personalities of the second half of the nineteenth century.

The Ministry of Foreign Affairs has published volume III. of the collection entitled *Les Origines Diplomatiques de la Guerre de 1870-1871* (Paris, Gustave Ficker); it contains the diplomatic correspondence from May to July 31, 1864.

An interesting volume (illustrated) has been issued by Pierre Roget, Paris, *Les Chroniques du Château de Fontainebleau*, by Léon Deroy.

MM. Berger-Levrault of Paris and Nancy have issued the first number of the *Bibliographie Lorraine: Revue du Mouvement Intellectuel, Artistique, et Économique de la Région*. It is published by the faculty of letters of the University of Nancy as a section of the *Annales de l'Est*, which last year abandoned its quarterly form to appear instead in a section of annual bibliographical review and a section of irregular fascicule issues. The *Bibliographie Lorraine* assumes a special interest in view of the claim of the editors that it is "une nouveauté. C'est la première bibliographie régionale qui soit entreprise en France . . . C'est un acte de décentralisation". While the publication will be annual this first issue

reviews the literature for the period 1905-1910, covering both Lorraine and Alsace.

The administration of Algeria, which has recently organized the Algerian archives, has appointed a commission for the publication of an official *Collection de Documents inédits relatifs à l'Histoire Politique et Militaire et à la Colonisation de l'Algérie depuis 1830*. The main element in this will be the correspondence of the commanders-in-chief of the army in Algeria and of the governors-general. The first volume will appear in 1911 and will give the documents relating to the consulate of Captain Daumas, 1837-1839. Professor Yves, one of the members of the commission entrusted with this undertaking, has recently published in no. 270 of the *Revue Africaine* selections from the "Documents sur la Guerre Franco-Marocaine de 1844".

Noteworthy articles in periodicals: G. Fagniez, *Fancan et Richelieu*, I. (*Revue Historique*, May-June); G. Lepreux, *Une Enquête sur l'Imprimerie de Paris en 1644* (*Le Bibliographe Moderne*, XIV.); L. Madelin, *Le Règne de la Vertu: La Dictature de Robespierre* (*Revue des Deux Mondes*, February 15); O. Tschirch, *Die Naundorff-Legende* (*Historische Zeitschrift*, CVI. 3); L. Abensour, *Le Féminisme sous la Monarchie de Juillet: les Essais de Réalisation et les Résultats* (*Revue d'Histoire Moderne et Contemporaine*, March-April); E. Driault, *La Diplomatie Française pendant la Guerre de Danemark* (*Revue Historique*, May-June); G. Mollat, *Études et Documents sur l'Histoire de Bretagne* (*Annales de Bretagne*, XXV., XXVI.).

### ITALY, SPAIN, AND PORTUGAL

Commissions appointed by the Italian government are to prepare national editions of the writings of Michelangelo and of Leonardo da Vinci. The former will include some 800 letters to Michelangelo, chiefly from the Buonarrotti archives in Florence.

The Macmillan Company announce a new version of *The Life of Benvenuto Cellini* by Mr. Robert H. H. Cust of Oxford, described as differing from Symonds's by a greater degree of idiomatic raciness.

Giovanni Sabini is the author of a recent book that should be of considerable interest and usefulness, *I Primi Esperimenti Costituzionali in Italia, 1797-1815* (Turin, Unione tipog., 1911).

The issue of the *Rivista Storica Italiana* for January-March contains a general review by C. Rinaudo of the Risorgimento publications appearing in connection with the jubilee semi-centenary of the War of Independence. The ensuing issues will continue the review with reference to more special studies.

A general review of the archaeological discoveries and publications in Spain and Portugal from May, 1908, to May, 1910, is given by P. Paris in 30 pages of the *Archaeologischer Anzeiger* for 1910.

P. Boissonade publishes in the *Revue de Synthèse Historique*, XXI. 3, an important general review of studies in the economic history of Spain.

The *Boletín de la Real Academia de la Historia* for November, 1910, contains an interesting review by Carlos Bratli of Danish writers of the last twenty-five years upon the history of Spain. It is accompanied by a full bibliographical list of much value.

Thirty-four years separate the fortieth and forty-first volumes of the *Colección de Documentos Inéditos del Archivo General de la Corona de Aragón*, of which volume XLI. was issued in 1910 (Barcelona, tipografía de Benaiges, pp. xvi, 424), by the archivist Don Francisco de Bofarull y Sans. The contents are mainly the continuation (1392-1688) of a series of documents of the fourteenth and fifteenth centuries dealing with *Gremios* and *Cofradías de la Antigua Corona de Aragón*. The Royal Academy of History has published vol. XIV. (1429-1430) of the *Cortes de los Antiguos Reinos de Aragón y de Valencia* (Madrid, Fontanet).

Noteworthy articles in periodicals: P. Negri, *Le Missioni di Pandolfo Colonnuccio a Papa Alessandro VI., 1494-1498* (Archivio della R. Società Romana di Storia Patria, XXXIII. 3-4); E. Rodocanachi, *Le Luxe des Cardinaux Romains de la Renaissance* (Revue des Questions Historiques, April); Joseph Hilgers, S. J., *Bücherverbot und Bücherzensur des 16. Jahrhunderts in Italien* (Zentralblatt für Bibliothekswesen, XXVIII. 3); J. A. F. Orbaan, *La Roma di Sisto V. negli Arvizi* (Archivio della R. Società Romana di Storia Patria, XXXIII. 3-4).

#### GERMANY, AUSTRIA, AND SWITZERLAND

An important aid to investigators is furnished in Heft 16 of the *Publikationen der K. Preuss. Archivverwaltung* (Leipzig, 1910), being a *Chronologisches Gesamtverzeichnis der Original-Ausfertigungen der Königs- und Kaiserurkunden des Königlich Preussischen Staatsarchivs und des Königlichen Hausarchivs bis 1439*, prepared by Dr. Reinhard Ludicke. The total number of the documents listed is 3253 and information is furnished not only as to the place of deposit, but as to any publication that may have occurred.

Two important monographs of wide interest have appeared in the *Kirchenrechtliche Abhandlungen* of Stutz (Stuttgart), viz., *Nationalkirchliche Bestrebungen im Deutschen Mittelalter*, by A. Werminghoff (Heft 61) and *Der Adel und die Deutsche Kirche im Mittelalter*, by Aloys Schulte (Heft 62 and 64).

Dr. Max Jansen has added to his *Studien zur Fugger-Geschichte* a third Heft, dealing with *Jakob Fugger der Reiche; Studien und Quellen*, I. (Leipzig, Duncker and Humblot).

Methuen, London, publishes *The House of Hohenzollern: Two Centuries of Berlin Court Life*, by E. A. Brayley Hodgetts. It comes from Frederick I. to the close of the ministry of Bismarck and is popular in character.



The new edition of the *Correspondance* of Voltaire and Frederick II. in the *Publikationen aus den k. preuss. Staatsarchiven* has just been completed with the issuing of Part 3 of Band LXXXVI., containing the correspondence for the period 1753-1778, edited by R. Koser and H. Droysen.

A work of the highest importance to the student of military history in the Napoleonic period is *Die Befreiungskriege 1813-1815*, by Colonel Rudolph Friederich, chief of the historical division of the Prussian General Staff, of which volume I., *Der Frühjahrsfeldzug 1813* (Berlin, Mittler, 1911, pp. xii, 328) has just been published in handsome illustrated form.

The *Autobiography* of Richard Wagner will soon be published simultaneously in Germany and England (Constable); it will cover the years 1813-1864 and was written by Wagner in 1868-1873, mainly from notes kept continuously from 1835. The work was originally dictated to Frau Wagner, but publication has been delayed by the family for personal reasons.

Messrs. Duckworth, London, announce *The Letters and Diary of Count Charles Leiningen-Westerburg*, edited (and apparently translated) by Professor Marczali. Count Leiningen was executed by Haynau in 1849 and wrote the diary in prison.

The *Deutsche Rundschau* for March and April, 1911, contains an extended critical summary by Field Marshal Freiherr von der Goltz of the two volumes of *Denkwürdigkeiten des Prinzen Friedrich Karl* (Stuttgart and Leipzig, Deutsche Verlagsanstalt, 1910). The volumes cover the period 1866-1885.

Dr. Ludwig Bernhard's *Die Polenfrage: das Polnische Gemeinwesen im Preussischen Staat* (Leipzig, Duncker and Humblot, 1910, pp. xvii, 620), treats a difficult and controversial subject, from 1830 to 1910, with marked impartiality as well as competence.

Professor S. Riezler has published a third revised edition of his *Das Glückliche Jahrhundert Bayerischer Geschichte, 1806-1906* (Munich, Beck, 1910).

The Vienna Academy has published the second installment of Abtheilung I. of its *Historischer Atlas der Oesterreichischen Alpenländer* (Vienna, A. Holzhausen). This Abtheilung is occupied with *Die Landgerichtskarte*, and the new issue contains Lower Austria (edited by A. Grund and K. Giammoni), and Tyrol and Vorarlberg (edited by J. Egger and others).

*Aus den Tagebüchern des Grafen Prokesch von Osten, 1830-1834* (Vienna, Reisser, pp. 252), edited by Prokesch's son, casts a flood of light on Austrian foreign policy in the period indicated, on its relations to the Rothschilds, on Metternich, and on Gentz.

Band IV. of the *Geschichte der Stadt Wien*, edited by Anton Mayer and published by the Alterthumsverein of Vienna, covers the period

from the close of the Middle-Ages to the accession of Maria Theresa (A. Holzhausen, pp. xii, 626).

Part I. of the second volume of the *Salzburger Urkundenbuch*, edited by Willibald Hauthaler and Franz Martin, contains 103 documents, covering the period 790-1072, accompanied by full notes.

M. Franz Heinemann, author of the *Bibliographie Nationale Suisse*, has published a new fascicule (V. 5) dealing with religious and ecclesiastical usages.

Noteworthy articles in periodicals: B. Hilliger, *Lex Salica: Epilog und Hunderttiteltext* (Historische Vierteljahrschrift, XIV. 2); Arthur C. McGiffert, *Martin Luther and his Work*, V., VI. (Century, April, May); V. Scherer, *Fürstliche Kunstsammlungen des XVII. und XVIII. Jahrhunderts in Deutschland* (Preussische Jahrbücher, March); H. Oncken, *Deutschland und Oesterreich seit der Gründung des Neuen Reiches, 1871-1911* (Deutsche Rundschau, April).

#### NETHERLANDS AND BELGIUM

Miss Ruth Putnam has in preparation a life of *William the Silent*, which G. P. Putnam's Sons will publish.

The historical seminary of the University of Louvain has published separately a *Rapport sur les Travaux pendant l'Année Académique 1909-1910* (Louvain, 1911, pp. 397-504 of the *Annuaire* of the University). This report is a detailed statement of the work submitted in the seminary, though not necessarily published or intended for publication; it will consequently be of considerable interest to those conducting such work elsewhere.

#### NORTHERN AND EASTERN EUROPE

The letters of Louisa Ulrica, queen of Sweden, *Luise Ulrike, die Schwedische Schwester Friedrichs des Grossen: Ungedruckte Briefe an Mitglieder des Preussischen Königshauses* (Gotha, Perthes, 1909, 1910, two volumes, pp. xxix, 400; xxxi, 519), edited by Dr. Fritz Arnheim, are an important source of knowledge for general as well as Swedish history, besides revealing more fully an interesting personality; but at present the publication extends only from 1729 to 1758.

Noteworthy articles in periodicals: C. Brinkmann, *Die ältesten Grundbücher von Novgorod in ihrer Bedeutung für die vergleichende Wirtschafts- und Rechtsgeschichte* (Vierteljahrschrift für Social- und Wirtschaftsgeschichte, IX. 12); L. Bril, *Les Premiers Temps du Christianisme en Suède*, II. (Revue d'Histoire Ecclésiastique, April).

#### THE FAR EAST AND INDIA

Noteworthy articles in periodicals: A. Grimwedel, *Die politische Wirksamkeit des Buddhismus* (Zeitschrift für Politik, IV. 2, 3); M. de la Mazelière, *Les Institutions du Japon Moderne* (Revue des Deux Mondes, March 1).

## AMERICA

## GENERAL ITEMS

Mr. David W. Parker's *Calendar of Papers in Washington Archives relating to the Territories of the United States (to 1873)*, a volume of about 500 pages, calendaring nearly ten thousand documents, is published by the Carnegie Institution of Washington soon after the time of issue of the present number of this journal. At about the same time, Mr. Parker completes, so far as Ottawa is concerned, his *Guide to the Materials for United States History in Canadian Archives*. Professor Frederick J. Zwierlein of St. Bernard's Seminary, Rochester, has made a supplementary inspection of the archives of Quebec, for insertion in the same volume. Professor Learned's *Guide to Materials for American History in German State Archives* is in the printer's hands. Dr. Charles E. Fryer of McGill University will make at London the inspection, now permitted by the British government, of the Foreign Office, Privy Council, and other papers from 1837 to 1860, in order to complete for this period the volume prepared by Dr. C. O. Paullin and Professor F. L. Paxson. Professor Charles M. Andrews, while in London this summer, will carry a stage nearer to completion his *Guide to the Materials for American History in the Public Record Office*, of which the first volume is expected to go to press next autumn.

We are glad to note that the Albany disaster has aroused in official circles in Washington fresh interest in the problem of a safe and proper housing of the government archives in Washington, and that the proposal for an adequate National Archive Building is under active consideration by Congressional committees. The position of the American Historical Association in respect to the movement having been more than once declared, it is proper to say that those who are interested in it from the historical point of view should write to their representatives in Congress before the next session.

Among the recent important accessions of the Manuscripts Division of the Library of Congress, are the following: the papers of Senator and Secretary John Sherman; the papers of Secretary Stanton; receipts for disbursements of the last specie fund of the Confederate States of America, from M. H. Clark, acting treasurer, 1865; a body of manuscripts of Colonel George Morgan, including letters, Indian speeches, and reports, 1775-1787; the papers of General George B. McClellan, given to the library by his son, Hon. George B. McClellan; a volume of dramas in the Aztec language, 1687; additional "Pickett Papers", being the correspondence and memoranda relative to the transfer of the "Pickett Papers" to the government, additional diplomatic papers, correspondence relative to the Confederate seal, and papers left by John T. Pickett; the Andrew Jackson papers, being the main body of manuscripts left by General Jackson and not embraced in the Blair papers already in the

library; additional Shaker manuscripts, including prayers, record-books, hymns, laws, and regulations of the Shaker Community in Ohio; a body of military and official letters and documents addressed to General Santa Anna, 1847; record of the proceedings of the Hague Arbitration upon the fisheries dispute (10 volumes); and miscellaneous papers of William Samuel Johnson respecting the Stamp Act Congress and the Constitutional Convention, 1765-1790.

The Albert Shaw lectures in American diplomatic history, at the Johns Hopkins University, will be given next spring by Professor Isaac J. Cox of the University of Cincinnati, whose theme will be the diplomatic movements centring around West Florida.

Volume VI., part I. (February, 1911), of the *Historical Records and Studies* of the United States Catholic Historical Society includes "Pierre Esprit Radisson", and "First Canadian Missionaries and the Holy Eucharist", by Rev. Thomas J. Campbell, S.J.; "Register of the Clergy laboring in the Archdiocese in New York from Early Missionary Times to 1885" (VIII.), by Archbishop Corrigan; "Claudius Clavus, the first Cartographer of America" (with illustrations), by Rev. Joseph Fischer; and "Some Catholic Names in the United States Navy List", a series of brief biographies, by John Furey, U.S.N.

The principal paper in the *Records of the American Catholic Historical Society* for March is by Rev. James Savage of Detroit, Michigan, on the Prehistoric Finds of Michigan. Twenty pages of the issue are occupied with the baptismal registers of Holy Trinity Church, Philadelphia, for 1793-1795, transcribed by F. X. Reuss and edited by Rev. Thomas C. Middleton.

Mr. Charles Francis Adams will bring together a number of his studies of the military strategy in the War of Independence and of the naval and diplomatic history of the Civil War, which the Macmillan Company will publish with the title *Studies: Military and Diplomatic*.

Mr. Hannis Taylor's work upon *The Origin and Growth of the American Constitution* has come from the press (Houghton Mifflin Company).

*A History of the American People*, in four volumes, by J. H. Patton and others, has been published in Chicago by L. W. Walter Company. There is an introductory article on "True Americanism" by former President Roosevelt.

Mr. Reuben P. Halleck's *History of American Literature* (New York, American Book Company, 1911, pp. 431) is a well-proportioned text-book, sensible and interesting, and without great refinement of thought or manner will introduce young pupils well to a good acquaintance with its subject.

The reminiscences of George W. Smalley, for many years European correspondent of the New York *Tribune* and American correspondent of the London *Times*, have been brought out by the Putnams with the title *Anglo-American Memories*.



The *Journal of American History* has passed into the hands of the Allaben Publishing Company of New York and London. Mr. Francis T. Miller continues as editor of the *Journal*.

Hon. John W. Foster's address *The Foreign Wars of the United States* has been reprinted from the *Proceedings* of the conference of the American Society for the Judicial Settlement of International Disputes held in Washington, December 15, 1910.

The same society has issued as no. 4 of its publications *The Development of the American Doctrine of Jurisdiction of Courts over States* (pp. 67), by Mr. Alpheus H. Snow.

Dr. Thomas Addis Emmet's *Incidents of my Life, Professional, Literary, Social; with Services in the Cause of Ireland* (Putnam, pp. xxx, 480), contains many passages of historical interest scattered through the book.

The Library of Congress has issued a *Select List of References on Boycotts and Injunctions in Labor Disputes*, compiled under the direction of H. H. B. Meyer, chief bibliographer, and twelve pages of *Additional References relating to Popular Election of Senators*. These references are largely to speeches of recent utterance in Congress, but include also articles in periodicals.

#### ITEMS ARRANGED IN CHRONOLOGICAL ORDER

Mr. Warren K. Moorehead has brought out through Houghton Mifflin Company a work in two volumes upon *The Stone Age in North America*, an archaeological encyclopaedia of the implements, ornaments, weapons, utensils, etc., of the prehistoric tribes of North America. The work abounds in illustrations and includes a bibliography of the subject.

*The Real Captain Kidd: a Vindication*, which Messrs. Duffield have published, is by Sir Cornelius Neale Dalton.

Messrs. Charles Scribner's Sons have in press a work by General Francis V. Greene entitled *The Revolutionary War and the Military Policy of the United States*. In this volume General Greene proposes to study the Revolutionary war from a military point of view and to show how the policy was inaugurated of making a small body of trained soldiery the core of a large volunteer army. The author plans eventually to add other volumes treating the subsequent wars of the United States.

The Houghton Mifflin Company has published *France in the American Revolution*, by the late Hon. James Breck Perkins.

Mrs. Danske Dandridge, whose books *Historic Shepherdstown* and *American Prisoners in the Revolution* have recently appeared, is collecting material for a book which shall include biographical sketches of General Adam Stephen, General William Darke, Governor James Wood, and Robert Rutherford, and would be grateful for information concerning any of these persons. Mrs. Dandridge's address is "Rose Brake", near Shepherdstown, West Virginia.

David Zeisberger's *History of the North American Indians*, which was issued as a double number (January and April, 1910) of the *Ohio Archaeological and Historical Quarterly* (see the REVIEW for July, 1910, p. 946), has now been issued in book form as volume I. of *The Moravian Records*, "a series of volumes containing the more important journals, diaries and reports of the Moravian missionaries among the American Indians, 1767-1817", edited by A. B. Hulbert and W. N. Schwarze (Ohio State Archaeological and Historical Society, pp. ii, 189).

*Chronicles of Greater New York City during the War of 1812-1815*, in two volumes, by R. S. Guernsey, has been brought out in New York by the compiler.

A brief biography of *Francis Scott Key*, author of "The Star-Spangled Banner", has been produced by his great-grandson, F. S. Key-Smith, and published in Washington by Key-Smith and Company.

Professor John S. Bassett's *Life of Andrew Jackson* will be published in early autumn (Doubleday, Page and Company).

*The Northeastern Boundary Controversy and the Aroostook War*, by J. F. Sprague, is published at Dover, Maine, by the *Observer* Press.

The United States Senate, April 28, 1911, ordered the compilation and publication of a document to contain all the proceedings of the Senate, including debates, reports, votes, etc., relating to the tariff of 1842; of another of similar material on the tariff of 1846; of another on that of 1857; and of a fourth containing the official material concerning the Canadian reciprocity treaty of 1854, and Professor Chalfant Robinson's history of it, the last being *Senate Doc. no. 17, 62d Cong., 1 sess.*

*Harriet Beecher Stowe: the Story of her Life*, by Charles Edward Stowe and Lyman Beecher Stowe, has come from the press (Houghton Mifflin Company).

*The Presidential Campaign of 1860*, by E. D. Fite, is announced by the Macmillan Company.

The late Rev. William H. Whitsitt, shortly before his death, brought out through the Neale Publishing Company a *Genealogy of Jefferson Davis, President of the Southern Confederacy, and of Samuel Davies, President of Princeton College* (pp. 67). The volume presents some new facts concerning the ancestry of Jefferson Davis.

The University of Illinois has issued *The Origin of the Land Grant Act of 1862*, by Professor E. J. James.

Mr. J. W. Rich's monograph *The Battle of Shiloh*, the publication of which in the *Iowa Journal of History and Politics* was chronicled in the issue of this journal for January, 1910, has now appeared in book form, bearing the imprint of the State Historical Society of Iowa (pp. 134). The work has received high commendation for its fairness and accuracy. Professor B. F. Shambaugh writes an introduction to the book.

The Wisconsin History Commission has brought out, as Original Papers no. 4, *The Chattanooga Campaign, with especial reference to Wisconsin's Participation therein* (pp. xiii, 255), by Colonel M. H. Fitch.

*The Heroic Story of the United States Sanitary Commission, 1861-1865*, by W. H. Reed, has been reprinted from the *Christian Register*.

*A Sketch of the Life of Horace Greeley, with brief extracts from his Writings and Biographical Notes*, by Jacob Erlich, has been brought out in Chappaqua, New York, by the Chappaqua Historical Society to commemorate the Greeley centenary.

Rev. Wilbur F. Crafts has prepared a volume entitled *A Quarter Century of Naval Legislation in Congress*, which has been published by the International Reform Bureau of Washington. The volume deals with the period 1888-1911 and includes extracts from bills, acts, and other documents relating to naval and social reforms.

*The Life and Character of Edward Oliver Wolcott, late a Senator of the United States from the State of Colorado*, in two volumes (pp. xi, 702; v, 803), by Thomas Fulton Dawson, is printed by the Knickerbocker Press for private circulation.

#### LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER.

*A History of the New England Fisheries*, by Raymond McFarland, is published by the University of Pennsylvania and Appleton.

The governor of Maine has re-appointed Rev. Dr. Henry S. Burrage as state historian. At the close of 1910 Dr. Burrage completed the work of arranging, pressing, repairing, mounting, card-cataloguing, and binding, and thus making available for historical purposes, seventy-eight volumes of the Civil War correspondence of the governors and adjutant-generals of Maine, and by the close of the present year he expects to complete the work on the remaining eighty volumes.

The commonwealth of Massachusetts has issued volume XVII. of the *Acts and Resolves of the Province of Massachusetts Bay* (Boston, 1910-1911, pp. 709), containing the resolves, etc., of 1761-1764.

The *Proceedings* of the Massachusetts Historical Society for February contains a paper on Commerce during the Revolutionary Epoch, by Professor Edward Channing, and one by Mr. Brooks Adams on the Convention of 1800 with France, the latter an elaboration of a legal brief. The March issue contains a paper by Mr. Frank B. Sanborn on Negro Slavery in Kansas and Missouri. Both contain memoirs of deceased members of the society: E. Winchester Donald, Morton Dexter, Edward J. Young, and John Noble. As we go to press, the society issues *The Diary of Cotton Mather, 1681-1708* (Collections, seventh series, volume VII., pp. xxviii, 602).

*Labor Laws and their Enforcement, with special Reference to Massachusetts*, by Charles E. Persons, Mabel Parton, Mabelle Moses, and

three "Fellows", edited by Susan M. Kingsbury, Ph.D., is the second volume of "Studies in Economic Relations of Women", produced by the department of research of the Women's Educational and Industrial Union of Boston (Longmans, pp. xxii, 419). The first chapter of the book (129 pages) relates "The Early History of Factory Legislation in Massachusetts", 1825-1874, and is by Charles E. Persons.

The American Antiquarian Society has received from Mr. Alfred Dwight Foster of Boston the manuscript journal of Dwight Foster (1757-1823), in three volumes, covering the period 1772-1799; also five volumes of his letters, of the period 1785-1819. Foster was a member of Congress from Massachusetts from 1793 to 1799 and senator from 1800 to 1803 and held other public offices.

The fire of March 28-29 in the State Capitol of New York was to American history a disaster of the greatest importance. Probably there never has been an occasion when so much valuable American material perished. Its lessons as to safe-keeping of priceless archives ought to make a deep impression on legislatures and custodians in other states. Although it is gratifying to learn that the Albany collection was not so completely destroyed as was at first supposed, nevertheless what has been saved is but a fraction of what the state possessed. A detailed statement, made from data kindly furnished by the archivist, Mr. A. J. F. van Laer, may be of use to investigators. It is reported that in all about 20,000 colonial and state documents have been recovered in a fairly good state of preservation. The highest percentage of salvage has been in the group of Dutch manuscripts relating to the period 1630-1664, 22 of the 23 volumes being saved. These include the council minutes, dating from 1636, most of the correspondence of the director-general, 1638-1655, and most also of the Delaware papers. The Dutch patents, 1636-1649, 1654-1664, escaped, but the Usselix manuscripts, 1606-1646, were lost. Of the 80 volumes of other so-called "Colonial Manuscripts" 47 appear to have been saved. Fortunately many of the more important of these papers have been printed. Of the 28 volumes of council minutes, 1668-1678, 1683-1776, 20 volumes escaped, while ten volumes of executive records, 1664-1712, are almost a total loss. Of this material the legislative minutes of the council, 1691-1775, had been printed. Two of the most important personal groups of papers, the Sir William Johnson manuscripts (26 volumes) and the George Clinton papers (52 volumes) suffered even more severely, only four volumes of the former and ten of the latter collection being saved. The Johnson papers have been calendared and the first 16 volumes of the Clinton papers have been printed, although in a very inaccurate text. The minutes and papers of the provincial congress, etc., 1775-1778 (in all 38 volumes), for the most part perished, although portions of some volumes were saved in fairly good condition. These manuscripts have largely been printed. Of the 44 volumes of assembly papers, 1777-1830, only about 20 survived. Out of 55 volumes of papers relating to the Revolutionary War (1775-1800)



the contents of about 20 volumes were saved, while of 13 volumes of senate papers (1777-1803) only parts of five volumes survive. The minutes of the commissioners for detecting conspiracies, 1778-1781, likewise perished; the material is, however, well preserved in the excellent text of Mr. Paltsits. Out of 250 volumes of Henry Stevens papers (relating to the French and Indian War, the Vermont controversy, etc.) about 60 volumes have been saved, for the most part in excellent condition. Among the numerous losses may be mentioned the collection of colonial laws, 1691-1725, a mass of legislative papers dating from 1778, the assembly journals for the years 1699, 1700, 1740, 1766-1767, eleven volumes of land patents, 1680-1775, about 30 volumes of commissions, warrants, etc., and many other groups of papers. Most of the copies from foreign archives perished. Some papers escaped by virtue of being in a safe. Among them are the collection of autographs of the signers of the Declaration of Independence, the Washington relics, the Duke's Laws, and Dongan's Laws. The proceedings of the Albany committee of correspondence, 1775-1778, were saved by being at the time in the office of the state historian. The Tompkins papers (36 volumes) are almost a total loss, only portions of ten or more volumes having survived. The most valuable part of the recently acquired Rensselaerswyck manuscripts, namely, the long series of Dutch letters; was practically all destroyed. Some of the materials of the collection that escaped are some early Dutch account books, the court record for 1648-1652, and some letter-books, 1643-1648, and 1661-1674. The great mass of unbound legislative files, 1777-1910, is practically a total loss, but the records of the War of 1812 (25 volumes, unbound) were all saved.

Mr. Victor H. Paltsits has for four years rendered distinguished services to the state of New York in the office of state historian, which he has elevated to a high plane and dignified with several admirable publications, models of governmental historical work. Governor Dix has, however, declined to reappoint him and has given the office to Mr. James A. Holden of Glens Falls, editor of a local newspaper. Mr. Holden's qualifications for a post which historical scholars must regard as highly important remain to be discovered; but he is entitled to be judged by his fruits.

The New York Historical Society has acquired a collection of thirty-eight manuscripts relating to Benedict Arnold, four of which are letters written by Arnold. In the collection are letters of Washington, Lafayette, Steuben, Robert Morris, Silas Deane, General Henry Knox, General William Heath, and others.

The *Report* for 1910 of the commissioner of records of Kings County, New York, contains a brief statement of what has been accomplished among the records under his jurisdiction, brief inventories of some of the records of the county, and some unsatisfactory facsimiles.

An interesting feature of the January number of the *Pennsylvania Magazine of History and Biography* is a series of gossip letters of a French officer, written from Easton, Pennsylvania, in 1777 and 1778. The letters were intercepted by a British cruiser and were recently discovered among the records of the High Court of Admiralty in London. This issue of the *Magazine* contains also a letter (April 2, 1797) from Washington to General Henry Lee, one from John Greenwood, dentist, to Washington, written in December, 1798, some extracts from the journal of Surgeon Ebenezer Elmer of the New Jersey Continental line, September 11-19, 1777, and a letter of Joseph Russell, written from Boston in May, 1776, describing conditions in the city. General Muhlenberg's orderly book, 1777, is continued.

The *Maryland Historical Magazine* for March contains an account of the "First Free School in Queen Anne's County", by Edwin H. Brown; "Baltimore in 1846", a paper read before the society in 1875 by Henry Stockbridge; and lists of colonial militia, 1740, 1748. The most important document in this number of the *Magazine* is a secret letter of Admiral Cockburn to Sir A. Cochrane, July 17, 1814, setting forth a plan for capturing Washington and Baltimore. The letter is among the Cockburn papers recently acquired by the Library of Congress.

Mr. Oswald Tilghman of Easton, Maryland, plans to publish a *History of Talbot County, Maryland, 1661-1861*, in two volumes, to be compiled principally from the voluminous materials left by Dr. S. A. Harrison, who devoted a long life to the history of the locality.

The Virginia Historical Society has recently received the gift of about 65 large-scale maps of counties and sections of Virginia, prepared in 1862-1864 under the orders of Major-General J. F. Gilmer, chief of the engineering bureau, C. S. A. The maps give very detailed information, including names of owners of farms and the like, and are of high value for the study of the Civil War in Virginia. They were presented to the society by Mrs. Minis of Savannah, daughter of General Gilmer.

The *Virginia Magazine of History and Biography* begins in its April issue the printing of the minutes of the council and general court of Virginia from the originals in the Library of Congress, the period covered by this installment being 1622-1624. The editor of the *Magazine* supplies a valuable prefatory note, eleven pages in extent. An item from the Randolph manuscript is the commission of the general court, October 3, 1685. Among the "Miscellaneous Colonial Documents" are a writ for election of a member of the convention, December 6, 1775; instructions of the Fairfax County committee to their delegates in the convention, December 9, 1775; an advertisement by the agent of the Transylvania Company, December 1, 1775; and a petition of the inhabitants of Frederick County and others to the westward of the Blue Ridge, presented to the convention on December 20, 1775. Another valuable document is Colonel Scarborough's account of his efforts to suppress the Quakers in

what is now a part of Maryland, then claimed by Virginia. The report, once before printed but not now easily accessible, is from the records of Accomac County and is contributed by Thomas B. Robertson of Eastville, Virginia.

In the April number of the *William and Mary College Quarterly Historical Magazine* appears the third of the series of papers on the "Leadership of Virginia in 'the War of the Revolution'", the first of which appeared in the issue for January, 1910. The writer brings the treatment down to 1776, discussing events as they revolve about the several crises, that of the "circulars", the affair of the *Gaspee*, the Boston Port Bill, and Independence. Mr. A. J. Morrison contributes an interesting account of the *Virginia Literary and Evangelical Magazine*, 1818-1828, describing the principal contents of the issues.

Mr. J. C. Wise has brought out through the Bell Book and Stationery Company of Richmond *The Early History of the Eastern Shore of Virginia*, a careful study of the institutions and social and economic conditions of that part of Virginia now comprised in the counties of Northampton and Accomac, from the earliest settlements by whites to the end of the seventeenth century.

The *South Carolina Historical and Genealogical Magazine* prints in the April issue an installment of the journal kept by Major John F. Grimké during the expedition conducted by General Robert Howe against the British on St. Mary's in Florida, May to July, 1778. Continuing his studies of the baronies of South Carolina, Mr. H. A. M. Smith gives a history of Wadboo barony. The "Register of the Independent or Congregational (Circular) Church, 1732-1738", prepared for publication by Miss Mabel L. Webber, and the "Abstracts from the Records of the Court of Ordinary of the Province of South Carolina, 1700-1712", by Mr. A. S. Salley, Jr., are continued.

*Books relating to the History of Georgia in the Library of Wymberley Jones De Renne, of Wormsloe, Isle of Hope, Chatham County, Georgia*, compiled by Oscar Wegelin, has been privately printed in a limited edition. The book is a handsome quarto of 268, xviii, pages, with facsimiles, and forms a remarkable guide to Georgia bibliography.

Volume XI. of the *Publications* of the Mississippi Historical Society is announced for distribution as this journal goes to press. The volume contains two valuable contributions by Professor Franklin L. Riley, namely, "The Mississippi River as a Political Factor in American History" and "Location of the Water Boundary between Mississippi and Louisiana"; papers upon two Mississippi thoroughfares of historical importance, the Natchez Trace and Jackson's Military Road; also articles dealing with "The Mahew Mission to the Choctaws" and "The French Trading Post and the Chocchuma Village in East Mississippi", and six useful studies of reconstruction in Mississippi counties.

Mr. T. M. Marshall contributes to the April number of the *Quarterly of the Texas State Historical Association* a paper upon the Southwestern Boundary of Texas, 1821-1840, and Mr. E. W. Winkler an account of "Some Historical Activities of the Texas Library and Historical Commission". Other articles are: "Life of A. Horton and Early Settlement of San Augustine County", an autobiographical sketch by Alexander Horton; and "Micajah Autry, a Soldier of the Alamo", by Adèle B. Looscan.

The University of Texas has received from Mr. Guy S. Bryan, jr., of Houston and Mrs. Emmett L. Perry of Bay City additional papers of Stephen F. Austin and the papers of Colonel Anthony Butler, chargé d'affaires of the United States at the City of Mexico from 1829 to 1836. The Butler papers include numerous original letters, only copies of which exist elsewhere, and some letters of importance not elsewhere found. There are nineteen letters of President Jackson.

Mr. George Bird Grinnell's *Trails of the Pathfinders* (Scribner) is now out. The book tells the stories of the more important explorers of the West.

The Mississippi Valley Historical Association held its annual meeting at Chicago and Evanston on May 17, 18, 19, and 20 in conjunction with the State Historical Society of Illinois and the North Central History Teachers' Association. The following were some of the papers and addresses: C. B. Coleman, "The Development of the Illinois State Constitutions"; F. I. Herriott, "Massachusetts, the Germans, and the Chicago Convention of 1860"; I. P. Wharton, "Abraham Lincoln's Early Connection with the Republican Party"; William E. Dodd, "Robert J. Walker, Imperialist"; M. M. Quaife, "Some Notes on the Fort Dearborn Massacre"; A. B. Hulbert, "A Comparison of some of the Source Material on Braddock's Campaign"; R. B. Way, "The Mississippi Valley and Internal Improvements, 1825-1840"; O. N. Carter, "Abraham Lincoln and Stephen A. Douglas as Lawyers". There were also a number of conferences and discussions.

The January-March number of the *Quarterly Publication of the Historical and Philosophical Society of Ohio* comprises a translation from the Welsh of the Rev. B. W. Chidlaw's pamphlet *Yr American*, published in 1840. The title-page of the translation is: *The American: which contains Notes of a Journey from the Ohio Valley to Wales, a View of the State of Ohio, a History of Welsh Settlements in America, Instructions to Enquirers, before the Journey, on the Journey, and in the Country*. The pamphlet was prepared to furnish guidance to Welsh people emigrating to America.

The legislature of Indiana has passed an act providing for the initial steps toward erecting a building which shall house the state library and museum and also the educational offices of the state. It is designed that this building shall be erected as a "permanent memorial



for the centennial of Indiana's statehood", and the act constitutes the Indiana Centennial Commission to formulate the plans for the building and to select a site. Meanwhile Professor Harlow Lindley has investigated the condition of the state and local archives and has strongly recommended that provision be made for the permanent and proper housing of the state's records, and that all documents, both state and local, which are not in current use be placed under the care of the department of archives and history.

Mr. H. P. Comstock contributes to the March number of the *Indiana Quarterly Magazine of History* a brief history of canals in Indiana, and Mr. George S. Cottman, using the caption "History to Order", writes a note concerning the quick-process production of local histories for commercial purposes.

The trustees of the Illinois State Historical Library have appropriated money for the editing of a volume containing material upon the fur trade in Illinois during the years 1783 to 1830. The editorial work will be entrusted to Professor Clarence W. Alvord and Mr. Solon J. Buck of the University of Illinois. It is expected that the first volume of the George Rogers Clark Papers (volume VIII. of the *Collections*), edited by Professor James A. James, will go to press within a few weeks.

The *Journal of the Illinois State Historical Society* includes in its April issue a biographical sketch and estimate, by Frank E. Stevens, of Alexander Pope Field, active in Illinois politics for about twenty years from 1822, later for several years in St. Louis, and from about 1857 to his death, in 1876, in New Orleans; a brief account, by J. W. Templeton, of the life and services of General Thomas J. Henderson, member of Congress from Illinois, 1875-1895; a paper entitled "The Burial and Resurrection of Black Hawk", by Dr. J. F. Snyder; and an appreciation, by William R. Sandham, of Hon. James H. Miller, "to whose initiative and labors in the Illinois general assembly must be largely credited the creation of the Illinois State Historical Library".

*A History of Stephenson County, Illinois*, by A. L. Fulwider, has been published in Chicago by S. J. Clarke.

Mr. A. C. Quisenberry writes for the May number of the *Register of the Kentucky State Historical Society* a sketch of General Zachary Taylor and the Mexican War and appends a roster of Kentuckians who served as officers in the war.

The governor of Michigan has unexpectedly vetoed the entire appropriation made by unanimous vote of both houses of the legislature for carrying on during the next two years the work of the Michigan Pioneer and Historical Society.

Mr. Kenneth W. Colgrove contributes to the April number of the *Iowa Journal of History and Politics* another of his investigations of "The Attitude of Congress toward the Pioneers of the West", earlier mention of which appeared in the issue of this journal for April, 1910

(p. 700). The present paper deals with the relations between the pioneers and the Indians in the period 1820-1850 and occupies 107 pages of the *Journal*. In the same issue Mr. C. R. Aurner describes at length "The Establishment and Organization of Townships in Johnson County". The article is accompanied by well executed maps.

The *Missouri Historical Review* for January contains the second paper of Judge John F. Philips on "Administrations of Missouri Governors", the subject of this article being Governor Willard Preble Hall. Rev. Joseph H. Schmidt contributes "Recollections of the First Catholic Mission Work in Central Missouri", and Professor E. M. Violette a paper on the battle of Kirksville, August 6, 1862. In the April number Professor F. H. Hodder has a valuable article entitled "Side Lights on the Missouri Compromise", Mr. T. J. Bryant contributes another paper on "Bryant's Station and its Founder, William Bryant", and Mr. Joab Spencer gives a sketch of "John Clark, Pioneer Preacher and Founder of Methodism in Missouri".

The legislature of Arkansas has appropriated \$5000 for the maintenance of the Arkansas History Commission. The commission will employ a salaried secretary who will devote his entire time to the work, entering upon his duties July 1. The legislature has also provided that the publications of the Arkansas Historical Association shall be a permanent charge on the printing fund of the state.

The *Quarterly Journal of the University of North Dakota*, the first number of which appeared in October, 1910, prints in its January number an instructive article by Professor O. G. Libby upon "The Correlation of Literature and History", and one by A. A. Bruce entitled "An Unwritten Chapter in the History of South Africa".

The *Documentary History of the Rio Grande Pueblos of New Mexico*, by Adolph F. Bandelier, is no. 13 of the *Papers of the School of American Archaeology*. The "Bibliographic Introduction" has been issued separately.

*Acquisition of Oregon and the long suppressed Evidence about Marcus Whitman*, in two volumes, by Principal William I. Marshall of Chicago, has been published in Seattle by Lowman and Hanford Company.

Mr. Irving B. Richman's *California under Spain and Mexico*, in the preparation of which the author has utilized much material not hitherto drawn upon, has appeared (Houghton).

The American Book Company has issued *Public Education in California: its Origin and Development, with personal Reminiscences of half a Century*, by John Swett.

Number 6 of the *Publications of Canadian Archives* is a *Rapport sur les Archives de France relatives à l'Histoire du Canada* by Mr. J.-Edmond Roy (Ottawa, 1911, pp. iv, 1093), which upon hasty preliminary examina-

tion appears to cover in great detail the materials respecting Canadian history in the French archives, or, at all events, those portions of them which previous lists and Canadian official searches have brought to light.

The Ontario Bureau of Archives has in the press a volume on the Huron village sites associated with the missionary operations of the Jesuit fathers in the territory known to students of Indian lore as Huronia. The author is the R<sup>év.</sup> Father Arthur E. Jones, S.J., F.R.C.S., whose labors in this branch of research have been long continued and exhaustive. Another interesting work announced by Mr. Alexander Fraser, the archivist, is the publication shortly of the Journals of the House of Assembly of Upper Canada from 1792 to 1804, now only available in manuscript. Those for the years 1795, 1796, and 1797 are missing. This will probably be the first of a series of volumes bringing the publication down to 1824, from which year printed journals are extant. The material thus to be given to the public will be of the greatest possible value to the official and student world as well as of wide general interest.

Noteworthy articles in periodicals: Ch. de la Roncière, *Une Carte Française encore inconnue du Nouveau Monde* (Bibliothèque de l'École des Chartes, LXXI. 5-6); Ch. de la Roncière, *Un Atlas inconnu de la Dernière Expédition de Drake* (Bulletin de Géographie Historique, 1909, 3); E. S. Maclay, *A Sea View of our Revolution* (United States Naval Institute Proceedings, March); W. E. Dodd, *John Taylor "of Caroline"* (The Nation, March 30); C. O. Paullin, *Early Naval Voyages to the Orient*, XI. *The Voyages to Japan of Commodore Biddle and Commander Glynn, 1846, 1849* (United States Naval Institute Proceedings, March); Edward S. Corwin, *The Doctrine of Due Process of Law before the Civil War* (Harvard Law Review, March, April); Colonel John S. Mosby, *Personal Recollections of General Lee* (Munsey's Magazine, April); Mrs. Burton Harrison, *Recollections, Grave and Gay*, IV., V., VI., VII., VIII. (Scribner's Magazine, April, May); Frank J. Cannon, *Under the Prophet in Utah*, IV., V., VI. (Everybody's Magazine, March, April, May); C.-Philippe Choquette, *Le Séminaire de Saint-Hyacinthe et les Événements de 1837-1838* (Revue Canadienne, May); José M. Calleja, *Historia de Santiago de Cuba* (Revista Bimestre Cubana, March-April); P. Migüélez, *La Independencia de México*, VIII., IX., X., XI. (La Ciudad de Dios, February 20, March 5, 20, April 5).















